Nixon's First Term *A Summing-Up by John Osborne*

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THE NEW REPUBLIC

A Journal of Politics and the Arts—December 23 & 30, 1972, 50 cents

Will The Leaders Now Lead?

On November 6, election eve, Richard Nixon told the nation: "I can say to you with complete confidence tonight that we will soon reach agreement on all the issues and bring this long and difficult war to an end." To put it charitably, he was wrong. The two sides are far from agreement, and Mr. Nixon has resumed massive bombing and shelling. For a decade, Presidents and their spokesmen have sworn that none were more devoted to peace than they, that only the bullheadedness of "the enemy" has kept us fighting. Bullheaded about what? About freeing their country from what they consider a foreign-dominated, corrupt regime in Saigon; bullheaded about restoring the unity of Vietnam, as anticipated in the Geneva Accords of 1954. These bullheaded Vietnamese say they are Marxists; they get aid and comfort from Moscow and Peking; and so their cause has been deemed inimical to American interests and ideals. Three Presidents have been determined to thwart them at whatever cost. In dollars, the cost to date is $65 billion; in lives, it is 1,110,000 dead, which excludes . . .

(Continued on page 7)

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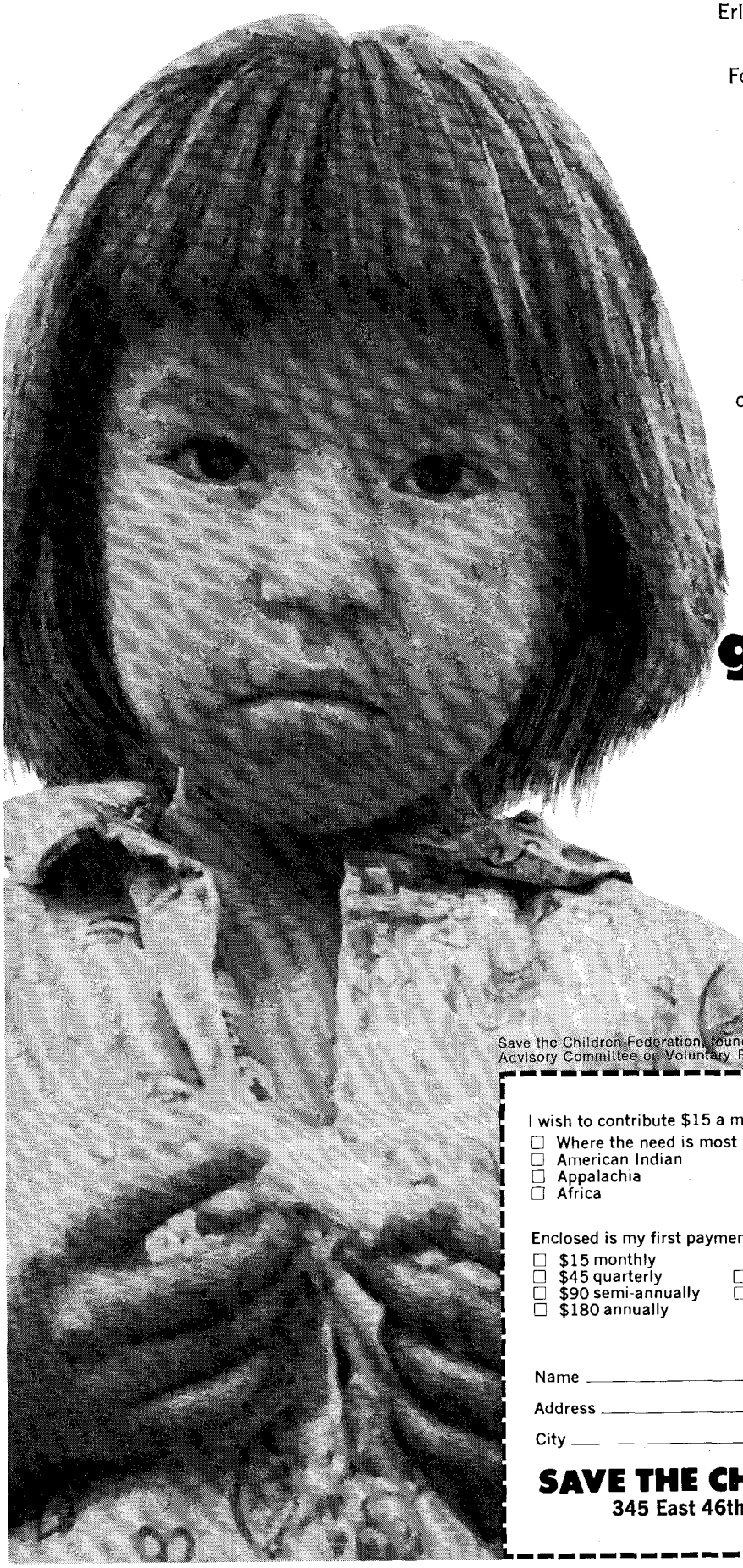

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And for you there's eve
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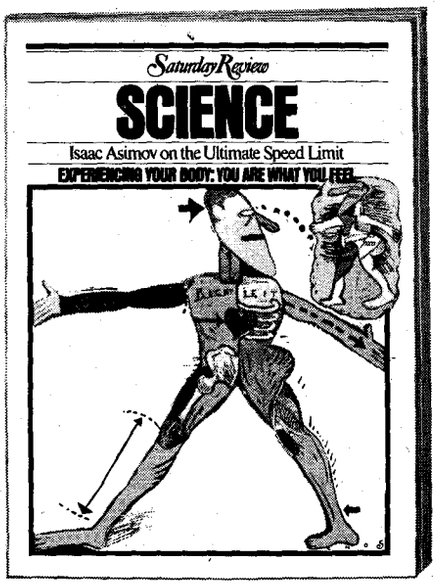

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TRB

from Washington ®
December 30, 1972.

"We Can't Say That"

The first Kissinger briefing on Vietnam began at the White House press room at 11:34 am October 26 and lasted to 12:37. The room was packed. A reporter sat on the brown carpeted step under the podium. Kissinger began, "It is obvious that a war that has been raging for 10 years is drawing to a conclusion." He immediately added, "We believe that peace is at hand."

Dr. Kissinger is short, rotund, chunky; wearing a blue shirt and figured blue tie; curly brown hair, conspicuous glasses that glitter. He has humor (the proposed section on international supervision, he says, "will no doubt occupy graduate students for many years to come." He has owlish face, German accent, not disagreeable (says "chust" for "just").

He is unflurried, in command of his audience and adept in presenting the views of Hanoi, Saigon, and of his boss, the President. We are getting out of the war, he implies; with honor; Nixon has pulled it off; after four years, Hanoi suddenly (October 8) made the key concession that we had waited for; it will not require overthrow of Thieu's government.

A reporter asks bluntly if this is an election gimmick? Kissinger earnestly denies it; the communists, he says, set the deadline for agreement by October 31; and it is they, not we, who brought discussion into the open.

It is a moment of triumph. But Kissinger does not spread it on too thick; he allows himself a few witticisms but keeps ebullience under control. As he finishes his presentation it seems appropriate to ask him whether the whole agreement could not have been achieved four years before?

This sets him back a second; he spends some time answering; asks several times for a copy of Hanoi's October 8th text. It is evident that America must not be allowed to feel its sacrifices were in vain.

We admire him; what a moment! He leans on the lectern or sometimes puts hands behind him. And we ask, what now remains? Well, there are technical issues, what clauses of the Geneva Agreement apply. It can all be settled "at one more meeting." Kissinger's lips purse into a half-deprecating and demure pout that is funny and attractive. We rush to catch deadlines, bearers of glad tidings. It will put the top layer on the Nixon landslide.

So now it is two months later, December 16. The same press room. There is a theatrical quality to the entrance even now, though something has gone wrong. The tension is acute. It is Saturday, but the room, with TV lights, is packed. What has happened in Paris? The Nixon victory is over and the American mood is euphoric.

"I will give you as fair and honest a description of the general trend of the negotiations as I can," he begins soberly. He is more formal than before, more deliberate.

"Settlement was always within reach," he says, "and was always pulled just beyond our reach when we attempted to grasp it." It was all the fault of Hanoi.

Reporters' faces catch the mood; it grows grimmer and grimmer. "The President," he says, "decided that we should not engage in a charade with the American people."

He consults a red portfolio. Often there is a slight clearing of the throat when confronting a question. "We have an agreement that is 99 percent completed," he tells a reporter, "we are one decision away from a settlement."

What one decision? He has agreed not to divulge it, he says, but reporters conjecture: those Geneva accords to which the US gave consent promised *one* Vietnam, not two; but if Washington accepts that fact now then this is a civil war, not an invasion from the north, as the US has always contended; our moral justification for intervention is wiped out. This all seemed a trivial detail back on October 26, but now reporters sense the issue between Kissinger's lines: "We wanted some reference in the agreement, however vague, however elusive, however indirect, which would make clear that the two parts of Vietnam would live in peace with each other and that neither side would impose its solution on the other by force." Exactly! He keeps sidestepping reporters' questions whether this is not the basic question in the war.

A speechwriter in Mr. Nixon's 1968 campaign, Richard Whalen *(Catch the Falling Flag)*, quotes the President as saying, "There's no way to win the war. But we can't say that, of course." In this instance, did Kissinger think he could slide over the difficulty? And did Mr. Nixon object? Nobody knows. But like an actor in a tragedy he repeats his line, "The risks and perils of war, however difficult, seem sometimes more bearable to them than the uncertainties and risks and perils of peace." It sounds like a translation from some sad old Roman historian.

Those are the two scenes and what is the Washington mood now? Americans celebrate Christmas but about Vietnam there is a bewildered—almost scary—silence. The disappointment is solid. Mr. Nixon gave us peace, people seem to say; now it is snatched back; everything seems suspect; can we really believe this new accusation that Hanoi is readying another invasion?

Senator Javits, a Republican, called a press conference here last week; so many reporters appeared they had to shift rooms. He is a small, bald man; he sits far away at the head of the committee table; two huge mirrors reflect each other across the room to infinity. Deep lines from nose to chin put a parenthesis around his mouth. He says quietly the new bombing is a mistake. Behind him somebody has trimmed a twinkling Christmas tree.

Gentle Mike Mansfield, in another interview, says so too—the bombing is a mistake. Others join in. There are few epithets; the election is over. Muskie is terse and grim: "When Congress returns in January" he says, "it will demand an explanation."

We walk out of the old Senate Office Building. A choir in maroon cassocks fills the marble rotunda with songs of praise and hope about the Prince of Peace. Round the world shock and horror rise over Mr. Nixon's resumed bombing. But America is busy with Christmas and bombs are far off. Is a wave rising? I don't know. But I feel certain that something odd is happening; there is a very strange mood here, indeed.

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THE NEW REPUBLIC *A Journal of Politics and the Arts, Vol. 167, Nos. 24 & 25, Issues 3024 & 3025, December 23 & 30, 1972. Published weekly (except the issues of January 1, July 29, August 12, August 26, and December 23, 1972) and distributed by* The New Republic, *1244 19th St., N.W., Washington, D.C. 20036. Phone FEderal 8-2494. Single copy 50¢; Yearly subscriptions $15; Foreign $18; Armed Forces personnel or students, $10. Send all remittances and correspondence about subscriptions, undelivered copies, and changes of address to Subscription Department,* The New Republic, *381 West Center Street, Marion, Ohio 43302. Copyright 1972 by Harrison-Blaine of New Jersey, Inc. Item g. Second Class Postage Paid at Washington, D.C. and additional mailing offices. Indexed in Reader's Guide.*

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Will The Leaders Now Lead?

"civilians"; in human misery and sickness of soul—it is incalculable. Put alongside that price the fact that after 10 years "the enemy" commands most of the countryside in the South, moves its troops and weapons back and forth with relative ease, and keeps its economy functioning in the North, bombing or no bombing.

What is extraordinary in all this is the faith of the White House that vital American interests are at stake. If that faith had not been so unshakable, Mr. Nixon would long ago have turned away from war. And indeed he more than once led us to think that was his intention. Was he not first elected on the assurance he had a plan for peace? The question was always what he would be willing to pay for peace. In our opinion, the price was never exorbitant: all that was demanded was the decision to get out, the communication of that decision to Hanoi, with the understanding that American prisoners would be promptly released. But to the White House, that price was and is exorbitant, for it may require abandoning Vietnam to the . . . Vietnamese. It was too high because the Vietnamese who might ultimately prevail in our absence are in league with the Other Side. Mr. Nixon, following the example of Lyndon Johnson, therefore made his moves on the theory that "the enemy" could only be brought to his senses by repeated blows on the head, and that when he was bloody enough he would bow; negotiations would then pose no problem. But the theory is demonstrably false: "the enemy" does not bow, nor does Mr. Nixon stop beating him over the head. For the cause of peace, Nixon will be amiable to infidels in Moscow and Peking, but not in Hanoi, for Hanoi is not a Great Power. At least he will not be amiable unless and until Hanoi is victorious, and then ideology may be displaced by more practical considerations.

Henry Kissinger's attempt on December 16 to account for the scuttling of the draft accord that had been approved earlier in Paris deserves careful exegesis. We surmise that Mr. Kissinger broke the bad news for fear that too many Americans would begin to suspect that the puppet was manipulating the puppeteer, and that Thieu was the one who blocked an agreement. That impression, humiliating to the White House, had to be corrected. Whereupon Mr. Kissinger, harbor-

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ing God knows what private anguish, was dispatched to meet the press and explain why a settlement that was "at hand" in October was no longer at hand, why those few loose ends that could be tied in several days were not tied, why the talks had become a "charade." One thing had to be made clear: not Saigon but Hanoi was the villain of the piece, and the President would not stand for it. Hanoi subsequently claimed the US had demanded 126 changes in the October draft accord.

As we interpret Mr. Kissinger's remarks, what Mr. Nixon would not stand for are the key points in the compromise that had been reached in Paris; he would not give up the three cardinal objectives that have been at the heart of our Vietnam policy from the start. These objectives, rather vaguely referred to by Mr. Kissinger are: a halt to the civil war by the North and the Vietcong; acceptance of the partition of Vietnam (for a while); recognition by the revolutionaries of the legitimacy of the Thieu regime, and therefore of the impossibility of any interim coalition administration in the South. These were Lyndon Johnson's objectives. As long as they are overriding, the door to disengagement is shut tight. And when Mr. Kissinger refers to these aims as "modest requirements relatively easily achievable," it is he who is playing charades: If they had been easily achievable, the war would be over.

"Experience," said Oscar Wilde, "is the name everyone gives to their mistakes." But what further experience in Indochina is needed to convince the White House that it can't have its rice cake and eat it, too. Charades is the name of the Vietnam game Mr. Nixon is playing with the Soviet Union and China, expecting they will help us get what we want in Indochina, since the superpowers share a larger "global interest" in peace. Turning that expectation on its head, how eager would Washington be to help extricate Moscow or Peking from similar folly? "Charade" describes Mr. Kissinger's assertion that we are at odds with Hanoi because of "linguistic difficulties"; or his notion that after years of guerrilla war a band of international monitors can keep the two sides at arm's length; or his statement that "the interplay between Saigon and Hanoi is one of the complicating features of this negotiation." Complicating feature? That "interplay" is the whole thing! What we've been waiting to find out is whether at long last the President is prepared to disengage from the "interplay." Now we know: we will not disengage, because "we cannot accept the proposition that North Vietnam has a right of constant intervention in the South." Translated, that means we hold to the belief that our military power can and should settle the Vietnamese civil war, can keep noncommunists sovereign in Saigon, and can keep Vietnam divided long enough to save face for whoever is in the White House.

How many times have we been told that the President is determined no one shall "impose" a government on the South? Another charade. Like his predecessor, Mr. Nixon cares little whether a government in Saigon is "imposed" or not; he will not tolerate a government's being imposed by the Vietnamese whom we've been fighting. Thus, when Mr. Kissinger says that "we cannot make a settlement which brings peace to North Vietnam and maintains the war in South Vietnam," he means that we will leave the war only if the revolutionaries stop being revolutionaries.

Writing in these pages on July 16, 1966, some months before his death in Indochina, Bernard Fall foresaw the outcome of this policy: "The Vietnam war is now likely to ride the upswing of the blood-drenched roller-coaster into the annihilation of industries, flood control and irrigation dams, and cities and villages—for, after all, when all of North Vietnam will supply the Vietcong and the infiltrated divisions with the help of massive coolie labor, *people* must become a strategic target. And they will. Never fear, they will." They have.

More American fliers will be captured, some newspapers will howl, angry Americans will demonstrate and petition. But no protests will force the President to reverse course unless there is a resurgence of sanity and conscience elsewhere within the government. Let us be specific. The reputations of Henry Kissinger and Secretary-designate of Defense Elliot Richardson rest on something weightier than high office; they are thought to be men of intelligence and rectitude. How much do they value that reputation? The peace-making efforts of Kissinger have been shot down; Mr. Richardson, isolated in the Pentagon as any POW in North Vietnam, will be obliged to take responsibility for the bombing. They know that the political landscape is littered with blasted reputations of honorable men who stayed on in government, hoping to do good, but who ended by giving sanction to a ruinous policy. They ought to resign. And what of Pat Moynihan? Is a bombs-away administration one he can honestly serve as ambassador?

We desperately need leaders; the "good soldiers" have done no good. The majority leader, Mr. Mansfield, could lead, if he were to use his considerable parliamentary power cannily and boldly. Then there are the senators of the President's own party—Brooke, Case, Javits, Percy, Aiken, Hatfield, Mathias, Saxbe, Scott, Packwood. If they were to break free and join like-minded Democrats, a durable coalition for disengagement could take hold in the Senate and prevail. There were tough-minded Democrats like Fulbright, Morse, Gruening, McCarthy, McGovern, Church who defied *their* chief when he was in the White House. Principle does on occasion take precedence over partisanship. An aroused bipartisan majority in Congress can stop this madness. It can do it by delaying confirmation of the President's nominees, postponing consideration of his legislation, and refusing to vote one more dime for the war.

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Crowded Courts

"The case for our [the Supreme Court's] 'overwork' is a myth," Justice Douglas took occasion to remark in a dissenting opinion a couple of weeks ago. The justices, he said, contradicting the other eight, dispose of "vast leisure time. . . . We are vastly underworked." In a report released on December 19, a seven-man committee of lawyers appointed a year ago by Chief Justice Burger reached an opposite conclusion that is certain to provoke furious controversy.

If the Supreme Court is underworked, it is probably the only court in the country of which that can be said. For the fact of choked dockets and of a judicial process that staggers under the demands made of it is hardly denied by any informed observer, including Justice Douglas, who pointed in the same dissent to the 15-month backlog of civil cases in the US court of appeals on the West Coast. The backlog of criminal cases in metropolitan trial courts throughout the country is scandalous, as is the fatal impediment that such a backlog constitutes to the effective employment of the criminal sanction as a means of controlling anti-social behavior. There is where the law and order problem is as real as anywhere!

Perhaps the reason why the committee appointed by Chief Justice Burger reached a conclusion different from Justice Douglas' is to be found in the committee's conception of the Court's function. "The task of decision," says the committee's report, "must clearly be a process, not an event, a process at the opposite pole from the 'processing' of cases in a high-speed, high-volume enterprise. The indispensable condition for the discharge of the Court's responsibility is adequate time and ease of mind for research, reflection and consultation in reaching a judgment, for critical review by colleagues when a draft opinion is prepared, and for clarification and revision in light of all that has gone before."

There can be no dispute over the statistics of the Court's workload. About three times as many cases were filed in the Supreme Court in 1971-72 as in 1951-52. Over the past 35 years, the number of cases has grown fourfold. The total is reaching 4000. Of course, the Court does not hear arguments and write opinions in all these cases. And so long as each justice must make an individual decision before a collegial one is reached, increasing the number of justices would only make the task more difficult, not easier. What the Court does is to decline to make any decision in the vast majority of the cases offered, which come to it in the form of petitions for review. It picks those it deems important and hears and decides them.

As the chief justice's committee, headed by Professor Paul A. Freund of Harvard Law School noted, the Court could, no doubt, find ways to preside over the administration of its docket; that is to say, it could delegate parts of the decision-making process to staff, as other executives do. The idea has been, however, that each justice passes on each case and decides which are important and deserve to be heard. With a docket of 4000 cases, this task is crushing and cuts heavily into the time needed for discharge of the Court's responsibility after the fashion described by the Freund committee.

The committee recommends, therefore, that a new national court of appeals, staffed on a rotating basis by judges of the existing circuit courts of appeal, be created to help the Supreme Court screen the mass of petitions for review. The choice is between having the justices relieved of the burden of independent, individual decision on each of 4000 petitions for review internally, invisibly and in publicly irresponsible fashion by junior staff, or having part of the task, which now exceeds the capacities of the justices, taken over under their supervision and authority by a new and publicly responsible institution.

The Freund committee makes a number of other recommendations, more technical in nature and narrower in scope, for aiding the Court. Hopefully its report will point the way for studies of the judicial process in lower courts, state and federal, civil and criminal. For a generation, substantive law reform has striven, and for the most part beneficially, to enlarge rights and to secure them more widely. Thus we have increased the occasions of justice, as has sheer population growth itself. But the machinery, if that is what it should be called, either creaks to the point of breakdown, or, taking the term "machinery" seriously, transforms itself into a "high-speed, high-volume enterprise." Either way, it mocks the idea of justice.

Down the Drain

One month ago President Nixon cut a $6 billion chunk out of the best anti-pollution bill ever to pass Congress. The reason he had was the one given five weeks earlier when he tried to kill the bill: he must "protect the working men and women of America against tax increases and renewed inflation." When he vetoed the legislation just before midnight on October 17, he called it "staggering" and "budget-wrecking" because it authorized the government to spend up to $24.7 billion retroactively and in future years to build water treatment plants in every part of the country.

There may have been an element of spite in this. The President's decision was announced the same evening that Congress voted to reject his earlier spending limit request. Congress overrode the anti-pollution veto by a lopsided margin (52-12 in the Senate and 247-23 in the House), only to have the President retaliate in late November with a decision to "impound" $6

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billion of the authorized money: more than half of what was to be given to states for building new treatment plants.

It's difficult to judge how the President's decision will affect state planning. Officials who could speak up, won't. Perhaps they're being cautious not to anger the men who control what remains of the federal anti-pollution purse. But because the federal layout has been halved, 32 states will not be able to sustain the level of water purification they had planned. Some states have considered filing suit against the government for illegal seizure of funds, but so far only the city of New York and a private citizen in Illinois have done so. Senator Edmund Muskie (D, Me.), who chairs the Senate water pollution subcommittee, has said that "we [Congress] are also examining what our role might be in any litigation. . . ." But again, there has been no clear response from Capitol Hill.

What is clear is that President Nixon ignored the advice of his chief environmental aide, William Ruckelshaus, both before and after the anti-pollution bill was passed. As administrator of the Environmental Protection Agency, Ruckelshaus sent a long memo to the White House in October when he and others believed the water pollution bill was about to be vetoed. After analyzing its strengths and weaknesses in detail, Ruckelshaus spoke for the EPA: "We strongly recommend that the bill be signed by the President." He quoted from three major presidential environment speeches, saying the new money should be spent to "support the commitment of the President in his State of the Union message of January 22, 1970, to 'put modern municipal waste treatment plants in every place in America where they are needed and to make our waters clean again, and to do it now.'" Ruckelshaus concluded that "It seems reasonable to me to spend less than one percent of the Gross National Product over the next several years to assure for future generations the very survival of the Gross National Product." Perhaps not how we would express it, but the sentiment is right. Ruckelshaus drafted the "needs" estimate on which Congress based money authorization.

It's unusual for the press to be given internal communications between the White House and its agencies, but in this case the memos were in print even while the issue was hot. Ruckelshaus' endorsement of the bill was printed in the *Congressional Record* the same day Nixon vetoed it, and Nixon's private request to Ruckelshaus asking that he withhold the $6 billion in funds was released with EPA's announcement of the cut, November 28. Nixon later asked Ruckelshaus to cooperate in "my attempt to maintain a strong and growing economy without inflation"—in other words, to defend the Executive seizure of funds. So the EPA administrator must now embrace a contradictory policy: he must punish states that fail to meet high water quality standards, but he cannot give them the financial aid they need to build treatment plants.

The Two Texans

A pair of Texans have been elevated to the top jobs in the two political parties. Robert S. Strauss for the Democrats and George H. Bush for the Republicans are alike in other ways. Both have friends in the oil-drenched business community. Both are better than either their sponsors or their past associations would indicate.

To listen to Strauss' flashes of wit, his soft drawl and sweet reasonableness, his attempts to accommodate his intraparty foes, is to forget momentarily that his college roommate was John Connally and that his chief sponsor for the national chairman's post was Alexander Barkan, the director of the AFL-CIO's Committee for Political Education (COPE). Strauss is adept at the mini-filibuster, and by the time he's finished reporters have forgotten what their question was, let alone the fact that he didn't quite answer it.

Strauss was elected by a coalition of Southern and border state members led by their governors and including the remnant of die-hard segregationists on the Democratic National Committee from machine-controlled states in the North (Indiana, Illinois, Connecticut), labor's men (Frank King of Ohio, Mike Johnston of Pennsylvania) and a healthy sprinkling from the Rocky Mountain and Western states. It is more or less the coalition that ran the Democratic Party during the '50s, except that this year it had a bare majority on the national committee instead of the overwhelming control it exercised before the committee was expanded and liberals made breakthroughs in Virginia, Tennessee, Mississippi, Texas and most of New England.

After he was elected, Strauss referred to himself as "a centrist, a doer, a putter-togetherer," insisted he's "not an exclusionist" and that he would not try to set the party's philosophical tone. He kept the leadership and membership selected by outgoing Chairman Jean Westwood for the two reform commissions—Woodcock-Mikulski (on rules) and Sanford-Burke (on a new charter). He also promised them financing and staffing. He was less specific on how the 25 at-large spots will be filled ("we have to come to grips with that"), but did say he will redeem his pledge to the black caucus to give them nine or ten. He thought his friend Connally and Democrats for Nixon "offer a problem to the party." And to top it off, Strauss was confident the party's debt, around $4 million, can be cleared up.

Bush had only one sponsor—the President, and given the present climate in the White House, it's amazing Nixon would turn to one of the more modern and humane Republicans to run the affairs of the GOP, even nominally. Bush is a Connecticut Yankee (son of the late Senator Prescott Bush) who, after graduating from Yale (same class as John Lindsay), went to Midland, Texas. There he made his fortune in oil during the post-World War II years when the Permian Basin

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was being opened up. Later, he moved to Houston to run for office, clashed with the strong John Birch wing of the party, publicly solicited support from the black and brown communities and represented west Houston (the wealthy, conservative part) in the House for two terms. He comes to his post from the UN after winning the battle to get US payments reduced, a victory that will endear him to Nixon's "New Majority."

That two men so close to the oil and gas industry should rise to the top party posts just when the country is focusing on its energy crisis is something to ponder. One of the major battles of the decade will be over how to resolve that crisis. The industry stand is clear, as evidenced by a three-year study made by the National Petroleum Council (loaded with industry men) for the Department of the Interior. Their conclusions: Energy needs will double by 1985, but private industry can meet the needs if government will get creepy environmentalists off its back, give the oil men their full 27½ percent depletion allowance, open more federal lands to exploration, keep oil import quotas where they are and stop regulating the price of gas at the well-head. Then we shall have the energy we need, though it will cost the consumer double what he's paying today. We shall wait and see what Mr. Strauss and Mr. Bush think of that formula.

Union Shake-Up

Miners for Democracy, the coalition that shoved Tony Boyle out as head of the United Mine Workers, was probably a fluke. Union democracy, best described as one-party government, tends to mean in practice that no serious alternative to the ruling hierarchy is available. The few turnovers that take place are usually palace revolts, like the Abel-McDonald contest in the Steelworkers in 1965, in which two rival factions slug it out for the spoils.

The Miners for Democracy were able to take on the whole organization because men who work underground share the same concerns, right down to the same diseases, especially black lung. Most unions are a collection of different jobs and job interests that excite jealousies and weaken solidarity. Even in the UMW, soft coal miners feared that higher pensions for hard coal miners would mean lower pensions for them. In most labor unions, spread out over 50 states, it would have taken extraordinary political skill and contacts just to caucus an opposition; the MFD rank and file is concentrated in a few Appalachian states. Most rank-and-file revolts never raise a nickel from the outside. But in the wake of the Yablonski murders, the MFD became a national philanthropy, and extensive press coverage turned the insurgents' challenge into the first nationally televised union power struggle. Millions of dollars of free network time undoubtedly made a difference in an election which was decided by only 14,000 votes. More important, the Labor Department was willing to spend $4 million to police the polls and seriously crimp the Boyle machine in the crucial last months. For the first time in the history of the Landrum-Griffin Act, the federal government deprived union leaders of their official access to the union treasury to finance their official political operations. Using the act's Title IV, the insurgents secured a host of special court remedies, including equal space for the MFD views in official union publications.

The legal issue that remains unresolved is whether any union hierarchy can make itself as autonomous as the UMW did. The Boyle machine removed most intermediate, elected leadership between the coalfields and the Washington headquarters; all but three or four districts were in the form of trusteeships, with the district presidents picked by Boyle rather than elected by the miners. An autocratic executive board will still be around to harass UMW President Arnold Miller and the newly elected UMW executives. These Boyle leftovers have what one MFD lawyer called "the mentality of the '50s," from the years when the coal industry was in decline and "the only safe course was to climb in bed with management." But soft coal mining has been booming, UMW membership has grown, there's a larger pie to be shared. That development did not go unmentioned by the insurgents, and to it they added other issues, such as black lung, mine safety and the near criminal administration of the UMW pension fund. It was the moral outrage over the Yablonski murders, however, that gave MFD its running start, and that brought it the national publicity and resources no other rank and file is likely to have soon again.

If At First You Don't Succeed

The new director of the Office of Management and Budget, Roy L. Ash, previously served as chairman of the President's advisory council on executive organization, and it was one of his recommendations that led to the creation of OMB. Most of the OMB budget—almost $250 billion this fiscal year—is not subject to Executive control. Social Security, unemployment benefits, farm price supports, interest on the national debt and other items which cannot be revised up or down total some $185 billion. So whatever innovations Ash may have in mind can apply only to the controllable $65 billion.

Ash left his $195,000-a-year post as president of Litton Industries and is divesting himself of his 180,000 shares of common and preferred stock to remove any possibility of a conflict of interest. A founder of Litton

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in 1953, Ash watched his company become one of the nation's largest conglomerates (35th on the *Fortune* 500), and one of the most politically active. According to *Congressional Quarterly*, executives and board members of Litton gave more money to the 1968 Republican campaign than those of any other defense, space or nuclear contractor. Litton climbed from 14th-ranked defense contractor in 1968 to ninth two years later. Ash has said his contributions to Nixon campaigns ran into "five figures in 1968 and 1972." (The 1972 figures for all corporate donors have not yet been made public by the Nixon reelection group.)

Managerial skill is the qualification cited for many of the second-term Nixon appointees, all of whom hope to bring a more businesslike attitude into government. At a press conference following his designation as OMB director, Ash said, "The Government is spending more and more money, certainly an all-time record of money, and the objective is to get our money's worth. That is the same as in business, and that is the same as I will hope to bring my own background to apply in the Government objective of getting its money's worth." To succeed, Ash will have to do better than he did at Litton. From a peak profit (after taxes) of $82 million on $2.2 billion in sales in 1969, Ash piloted the conglomerate to a 1972 profit of $1 million on $2.5 billion in sales. The company avoided red ink only by including as assets some of the claims it had lodged against the navy. Litton's stock now sells for about a tenth of its all-time high. Litton is two years behind schedule on its delivery of five amphibious assault ships (LHAs), and last spring the navy threatened to find the company in default of its contract. (The service backed down at the end of August and put off the day of reckoning six months.) Litton also appears to have fallen behind schedule on its two contracts to build 30 destroyers (DD-963s). The two contracts are worth more than $3 billion, and the cash flow they generate is crucial to the company's very survival.

The Lesson of Life

The reasons given for the loss of *Life* were competition for advertising from TV, competition from special interest magazines such as *Psychology Today* and Time, Inc.'s own *Sports Illustrated*, and anticipated second-class postal increases of 170 percent over the next five years. The first two pressures are endemic to magazine publishing. The third, exploding second-class postal rates, is not. Congress can cut back the rates by approving HR 16784, sponsored by Representative Morris Udall (D, Ariz.) and S 4020, sponsored by Senator Edward Kennedy (D, Mass.).

Until recently, the cost of mailing magazines had been rising about six percent a year. Then came the Postal Reorganization Act of 1971, a delayed response to the breakdown in services of the 15-story, 60-acre Chicago post office, the world's largest. Larry O'Brien, then postmaster general, sparked a drive to modernize the postal service. His efforts were supported by the magazine industry, with the expectation that productivity would pick up and second-class rates would go up only modestly. When the "semi-independent" Postal Service replaced the 200-year-old Post Office, the postmaster was removed from the President's Cabinet; mail delivery was to show a profit: no more one-billion-dollar yearly deficits. Each class of mail was to pay its own way—first class, second class (magazines and periodicals), third class (advertising matter) and fourth class (books and parcels).

Ascertaining postal cost is an arcane art. Since the buildings and the people are already there, there is more than one way to determine costs. The Postal Service recommended to the Postal Rate Commission that second-class rates go up 142 percent over a five-year period. The commission, in a 300-plus-page report last June 5, decided that 127 percent was the right figure, and second-class rates rose 30 percent in July.

Time, Inc.'s chairman, Andrew Heiskell, had joined a Citizen's Committee for Postal Reform to push the O'Brien postal reorganization through the Congress. Subsequently, at a House hearing Heiskell was asked, "Do you consider that you booby trapped yourselves in supporting this legislation?" "Yes," he replied. Earlier in his testimony, Heiskell had said, "We are here because they [postal] are the only costs that are extravagantly and explosively increasing. Our other costs are not entirely out of control." In 1970 Time, Inc.'s second-class mail bill was $15,400,000; under the increased rates that figure would be $42,500,000, "or nearly four times more than we earned from our magazines in 1970," Time, Inc. said. Postmaster General Winton M. Blount (the recently defeated Republican candidate for senator from Alabama) was not impressed: *Life*'s "pessimistic" estimate of its ability to bear the "postage increase or to pass it on to your subscribers and advertisers, is certainly not shared by a number of independent appraisers of the magazine industry." The independent appraisers won the battle, and *Life*, which had shown a loss of $30 million over the past four years, lost the war.

Some described *Life* as the "last dinosaur," its "photojournalism" made extinct by television. But its demise was surely hastened by the steep rise in second-class rates and unless Congress acts to prevent it, more publications will follow *Life*. The Udall bill would allow every magazine to mail the first 250,000 copies of each issue at only two-thirds of the prevailing second-class rate. The Postal Service says this would cost about $38.4 million annually, against a postal deficit that has increased under the profit-oriented management to a record $2.5 billion this year. The

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question to be decided is whether a multiplicity and diversity of periodicals is in the public interest. Mr. Udall says yes and that the added cost to the government is justified.

Grain Shippers

Fat shipping subsidies are exempt from the President's partiality for leanness in federal expenditures. When federal payments to owners of ships are added to subsidies for grain exporters, the US could pay up to $25 million for the sale of 400 million bushels of American wheat to Russia. The shipowners could get as much as $57 million in payments from the Maritime Administration and the grain firms already have had an estimated $200 million from the Agriculture Department. In the longer perspective of US-Soviet cooperation, the deal can be seen as mutually advantageous, but in the shorter run it can be asked how good a bargain the administration struck, when the US may pay over one-quarter of the $1 billion the Soviets gave for 17 million tons of grain, to get it out of this country.

The administration apparently slipped up in letting the Russians buy the wheat at bargain basement prices, since only the US could supply the vast amounts that a crop-damaged USSR needs. But the granting of shipping subsidies was deliberate, part of a long-range Nixon strategy. For years only 12 liner companies plying major world trade routes got subsidies and tax breaks. Then in 1968 Nixon promised the maritime industry he would help it. In 1970 Congress approved the administration's proposed changes in shipping law, giving subsidies to bulk carriers (which handle grain) and extending tax benefits to all shipowners. Teddy Gleason, president of the powerful International Longshoremen's Union, was not ungrateful and supported the administration in this past election. Told by federal officials such as Robert J. Blackwell, assistant secretary of commerce for maritime affairs, that Russian grain purchases will be a permanent new market, the farmers were likewise appreciative; they gave Nixon about 70 percent of their vote.

Shipping subsidies are generous. For fiscal year 1973 Congress appropriated $232 million to apply to ship operating costs and a payment kitty of $250 million for ship construction. In the case of the grain sales, the shipowners will be collecting money from both Moscow and Washington. Applications for payments ranging from $8 to $10 a ton on Russian grain shipments continue to pour into the Maritime Administration. Companies have filed for subsidies for 56 vessels. The first rates granted by the Maritime Subsidy Board were $10 a ton. Since the board reportedly has only $17 million left over this year for ships which can carry grain to Russia, the agency probably will have to go back to Congress for more subsidy money to ensure that the wheat gets delivered.

The Russians have agreed to pay $10.34 per ton through December 15; $10.12 per ton through December 25; and $9.90 per ton through January 25, 1973 for shipments from Gulf ports to Russian Black Sea ports. These rates are well above the $8.05 a ton, or the current world market rate plus 10 percent, set in the October 14 agreement; they represent a major concession by the Russians that is politically helpful, perhaps even politically essential to the Nixon administration. Before the temporary two-month rate settlement was announced, Maritime Administration officials said that if Russian payments went up significantly above $9 a ton, the US would recover some of its subsidies. The agency claims this provision will prevent shipowners from making windfall profits.

Some obvious pluses from the Russian sale are a reduced US balance of payments deficit, increased income for some farmers and inland grain handlers and transporters, and more jobs for the shipping industry. In contrast, the grain exporters' profits may be another example of "socialism for the rich," although at least one firm, Cargill, Inc., says it lost money on the deal and no one has refuted its contention. On the minus side are the squeeze on the supplies of US flour millers and bakers leading toward higher bread prices, and anticipated increases in domestic tanker rates if many ships are diverted to the Russian trade. The result could be higher fuel prices this winter.

Since the Russians are hard-up for grain, they might have been persuaded to pay all shipping costs. On the other hand, if they had refused, the administration would have run the risk of jeopardizing much broader trade with the Soviets. As it is, with the US/USSR grain pact safely negotiated, the next logical step is a bilateral trade agreement with Peking, especially since Mr. Nixon has now lifted a 22-year-old ban on commercial ship and aircraft traffic to China.

Hand-Holding

People in big business know that it's not only possible to serve two masters, but three, four, five—the more the better. The curious thing about corporate directors is that their influence grows with the number of masters they serve, and they become more valuable to each as their loyalties are divided among many. A director of General Motors is powerful, but a man who directs General Electric, General Foods and General Dynamics is more powerful. Now, some executives must stay put and do the drudgery work that makes it

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possible for others to attend meetings and make policy. But in general, big corporations and banks have a habit of electing directors who are already directors of other big corporations and banks. The result is that a relatively small number of men direct a large number of rich corporations, dividing the power among themselves in complex, interlocking patterns.

There are laws that prohibit certain kinds of interlocking directorships, and on November 24 the Federal Trade Commission acted to subtly extend coverage of the laws and make it harder to hold multiple posts in the future. Under the Clayton Antitrust Act (1914), no one who directs an industrial corporation worth one million dollars may direct another, equivalent corporation that competes in the same field. The law was meant to reduce the chances for big companies to make anti-competitive pacts with one another. This section of the Clayton Act is considered the strongest of the federal interlock prohibitions. In the past it has been interpreted to mean that no man could be a director of two large companies competing for precisely the same market—for example, number 10 copper electric wire. If the two made different sizes of wire, or if they made the same size but used different metals, there was thought to be no conflict. Last month the FTC changed this, taking the law to mean that no man can serve on boards of companies that compete for the same *general* market.

The change was slight, but it caused two men to resign their directorships. The FTC filed an official complaint naming Russell DeYoung and John Mayer as directors of competing companies: DeYoung because he was on the boards of Alcoa Aluminum and Kennecott Copper, and Mayer because he was on the boards of Alcoa and Armco Steel. The FTC said that steel competes with aluminum in the manufacture of tank containers, auto bumpers and building material, and that copper competes with aluminum in tubing, heat and electrical conductors. The case was settled quickly when Mayer quit the board of Armco, and DeYoung quit Alcoa. However, Alcoa's spokesman let it be known that his company was "dismayed and perplexed" by the FTC action. John Mayer said "it would never occur to me that there would be any conflict in sitting on the boards of two companies in entirely different industries."

These are not reactions of mock horror but of genuine surprise, because the government has never stoutly enforced the law on interlocking directorships: the law itself is weak and inconsistent. Honest businessmen often find it an obstacle, though no real conspirators would have trouble circumventing it. A Justice Department official concluded in 1950 that the relevant section of the Clayton Act, "at least as applied to manufacturing corporations, has accomplished none of the objectives sought by its sponsors." The interlocks tolerated by the law are so numerous that it seems unfair to prosecute the ones it covers.

Banks and insurance companies, for example, are quite leniently treated by the Clayton Act, though the largest of these "nonindustrial" concerns control the money needed to start any big enterprise. Armco, Kennecott and Alcoa are now forbidden to share directors with one another, but there is nothing to stop them from sharing directors with a large bank which they could control mutually. The chairmen of these three companies could sit with the chairmen of General Motors, Chrysler, General Electric and others—all doing business together—on the board of a bank that could handle accounts for each company represented on its board. There's nothing in the Clayton Act to prevent this, or to stop companies from sharing directors if they do business vertically, as buyer and seller. Nor does the law bar one company's employees (if they aren't directors) from serving on the board of a competitor. The possibilities are unlimited.

The quickest way to see the interlock system at work is to choose a large bank and look at the men who run it. In the series of articles currently being published in these pages ("Absentee Owners of America") the detailed story of corporate hand-holding is being told, but take, for instance, the Chase Manhattan, the second richest in the country. On its board and the nearly identical board of the Chase Manhattan Corporation there are 25 directors. Of these, 23 are listed in *Standard and Poor's Register* of executives. Besides their directorships at Chase Manhattan, they hold 105 other commercial directorships and 54 noncommercial trusteeships. Almost all of them represent huge corporations.

David Rockefeller, grandson of the man who put together the old Standard Oil trust, is chairman of Chase Manhattan. His fellow directors include the chairman of Standard Oil of New Jersey, the chairman and one director of Standard Oil of Indiana, the chairman of Atlantic-Richfield, the chairman of Allied Chemical, directors of General Motors and Uniroyal, two directors of Chrysler, the chairman and one director of Anaconda copper and aluminum, directors of American Smelting and Refining, International Smelting and Refining, International Nickel, R. J. Reynolds Industries, the FMC farm machinery corporation, United Aircraft, the Aerospace Corporation, Pan American Airways, Whirlpool (two directors), General Electric, Hewlett-Packard Electronics (the chairman), American Telephone and Telegraph (two directors) and CBS. The board includes insurance and banking men as well: the chairman of Charter Oak Life Insurance, directors of Travelers Insurance, Metropolitan Life, Mutual Benefit Life, Jefferson Life and American Express. Also represented are General Foods (the chairman and two directors), Kellogg's (one director), Macy's (two directors), Federated Department Stores (the chairman), International Paper (two directors) and Scott Paper (one director).

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Before his primary defeat this year, Chairman Emmanuel Celler of the House Judiciary Committee proposed an interlock prohibition (HR 12004), one of many he has offered in recent years, that never went to hearings. Chairman Wright Patman of the House Banking Committee introduced a bill with similar restrictions (HR 5700) that went to hearings, but no further. Because no one knows what American business would be like without interlocking directorships, and because Congress isn't eager to inquire, such proposals never go far. If Congress doesn't feel the pressure to act against interlocks, you can be sure the FTC and other regulators don't.

Eliot Marshall

The Economy in '73

One political imperative of the Nixon administration last year was to ensure that during 1972, and particularly in the autumn, business activity and employment would be moving forward. Not too swiftly, for that would stimulate inflation. But not too slowly either, for the contagious feelings of insecurity about jobs and profits, induced by the 1970-71 recession, had to be replaced by more confident sentiments. And so they were; the Nixon landslide was in some significant part a tribute to the success of that economic undertaking. Given a previous record of fumbled forecasts and miscalculations, it was a surprising clutch performance, the first domestic economic victory of the Nixon administration which, like the Washington Redskins, had craftily saved the best for the last.

The tools for the turnabout in business activity were deficit spending, easier taxes for corporations, modest interest rates, and wage and price controls. The results were a rise in industrial production amounting to nine percent over the past 12 months; a reduction in unemployment from its peak of 6.1 percent of the labor force last year to 5.5 percent currently; a boom in business profits and in the stock market; and with it all, a marked cut in the rate of inflation from annual increases in the consumer price index of 6.1 and 5.5 percent during the President's first two years of office to 3.4 percent over the last 12 months. It was a real achievement, though strictly limited in that it leaves the economy still operating well below capacity and with five million men and women unemployed.

The question of most importance now, particularly for the jobless, is how long and how vigorously will the current upswing be permitted to go on? That the present expansion *could* develop into a boom next year is suggested by a variety of portents including the most recent surveys of corporations' and consumers' intentions. They show that business plans to raise investment substantially in 1973 and that households expect to buy more cars, houses, TV sets and most other goods. The accelerating pace of production and the buoyant behavior of new orders for machine tools, transportation equipment and electrical machinery are other harbingers of better times. Given the appropriate government fiscal and monetary policies in 1973, therefore, it is not inconceivable that the boom could knock unemployment down to four percent, which since the Kennedy administration has been assumed to represent full employment.

However, as all conscientious students of Nixonomics have learned, "Don't praise the day till you've seen the night." Expanding business activity has always, sooner or later, been accompanied by intensified inflation, and the present instance is no exception —despite the fact that the number of jobless has been reduced only modestly thus far, and despite government controls over prices and wages.

Thus, since inauguration of controls in the summer of last year, the consumer price index has risen in successive quarters from 2.6 percent at an annual rate, to 3.5 percent, to 3.8 percent, and to 4.1 percent in the past three months. Though the pace is still below that prevailing before the controls, the direction is not reassuring. Nor does it lend even slight support for the administration's forecast that inflation would be down to a three percent annual rate, or less, by the end of 1972.

The likelihood of a sharply ascending price level is confirmed by the prospects in labor markets. Nearly all the more powerful unions, from auto and electrical workers to dressmakers and teamsters, are scheduled to renegotiate contracts in the spring of next year. No signals have been given that the unions will be more diffident than usual, particularly if in the intervening months the cost of living continues on its current trend. On the contrary, union leaders promise to come out fighting, though in deference to the Pay Board fringe benefits may be emphasized more than explicitly higher wage rates. For example, the auto union is already talking about more paid holidays and longer paid vacations, even up to fully financed sabbaticals. Other union leaders stress improved health and pension plans. Not one has expressed complete satisfaction with the prevailing wage rate, and hence labor costs, through one means or another, seem certain to rise. Nor will business be eager to resist the trend, risking strikes, when the rules of the Price Commission permit price increases if "justified" by higher costs, and when the prospects are for expanding markets and profits. In short, wage and price controls— which Nixon wants extended beyond the expiration date of April 1973—are likely to have only a minor dampening effect on the price level when the present boom accelerates. Given another year, inflation could

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revert to its old six percent annual rate, which so excited President Nixon in 1969.

Such circumstances, in the past, have called for drawing in the reins, and there are several hints that that's what the administration has in mind. Herbert Stein, chairman of the Council of Economic Advisers, has warned that "full employment" in this modern space age should rightly be defined as implying a five percent unemployment rate. Taken literally, since we are not so far from five percent now, this would mean that the economic brakes may be applied not too long after Christmas, perhaps in time to celebrate the return of our remaining Vietnam troops. The White House has repeatedly promised no tax increases in the year ahead, or even over the next four years, *unless* Congress indulges in what the President would regard as extravagant appropriations for health, environmental improvement, education, welfare or other nondefense projects, as it is practically certain to do. In addition, the President has the power, which he exercised so resourcefully in 1970, of not spending all the funds appropriated. As surely as the late Martin Dies could find communists subverting our political structure, no matter where he looked, so Federal Reserve Board Chairman Arthur Burns can find inflation tearing asunder our economic institutions, no matter what the situation. We can count on him to protect us with a firm hand on the money supply and a courageous boost in interest rates, even if it means a liquidity crisis (I got no funds, chum) as in early 1971. Just as President Nixon blamed the profligacy of President Johnson for the inflation of 1969 and the ensuing austerity, so may he blame the profligacy of a Democratic Congress for the inflation of 1973.

The corrections for inflation—tight money, higher rates, stiffer taxes and lower federal outlays—are also the ingredients of a finger-down-the-throat, self-induced recession. We had one in 1970-71, not to mention previous occasions. Unless Congress watches out, and perhaps even if it does, we may be in for another corrective treatment in 1973-74.

Melville J. Ulmer

The Nixon Watch

These Four Years

In a note sent to several White House assistants on December 12, I said I was preparing a review of Mr. Nixon's first four years in the presidency and continued: "I wonder if you'd be willing to think back over your time at the White House and recall for my use two or three highlights of the experience—whether involving the President, yourself alone or with others, anything serious or trivial that you especially remember." The same request was made in person to other assistants. Because Henry Kissinger was in Paris at the time, and also because Kissinger's assistants on the National Security Council staff understand that he alone is permitted to associate and communicate in any meaningful way with reporters, the inquiry was confined to people on the President's domestic staff. Not at all to my surprise, the request was ignored by John D. Ehrlichman, the assistant for domestic affairs; H. R. Haldeman, the administrative chief; and Peter Flanigan, who looks after international economic matters and the President's relations with business moguls. Special Counsel Charles Colson responded after a fashion, in a way that I thought irrelevant to my request but nonetheless understandable, considering my tendency to refer to him as the President's dirty-tricks man and to neglect his numerous other services, which Mr. Nixon has had a spokesman say he greatly values. Colson had his secretary say by telephone, with what sounded like a couple of apologetic giggles: "He said, since you're thoroughly convinced that he's an s.o.b., it would take an undue amount of time to try to convince you otherwise and it probably wouldn't accomplish anything." Maybe and maybe not. But the response left me wondering, as I've been wondering these four years, at the obtuseness of some of the smartest people in the President's employ. They are too dumb, or perhaps too locked in the paranoia that grips the Nixon White House, to grasp the fact that reporters as a species, this reporter included, are suckers for officials who at least go through the motions of confiding in them now and then and providing a version, however weighted it may be, of what goes on.

Three points have to be made before getting to some of the slightly more productive responses that I did receive. The first point is that the quoted assistants were talking about a President who would soon be resuming the unrestricted bombing of North Vietnam in order to obtain a settlement of the war that he (in Henry Kissinger's words) "considers just and fair" and that (in his own words) he can accept "without staining the honor of the United States." The second point is that the responses typify the reluctance of Mr. Nixon's assistants to say or tell anything about him that comes anywhere near disclosing, in any but the blandest generalities and the most innocuous anecdotes, the private man behind the public facade.

The third point is that the assistants had been asked to recall highlights of their parts in a term that has been marked by a good deal of solid accomplishment, abroad and at home. The Nixon version of the record is set forth in a White House paper that runs to 43 single-spaced folio pages and 20,000 words. It is understated and factual on the whole, larded with less exaggeration and evasion of unpleasant qualifying circumstances than is to be expected in such a docu-

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ment. It is true, for instance, that the turmoils that racked the country when Mr. Nixon took office have been quieted (though one may doubt that the quietude really signifies the healing that the President promised in his 1969 inaugural address). The economy has been stabilized and set on an upward trend and Mr. Nixon's wage-price controls, which he proposes to extend, have done more violence to his own past principles of unfettered enterprise than they have to national and individual well-being. Critics who marvel at the omission of any reference to the cumulative budget deficit of around $100 billion during the first Nixon years must acknowledge that Mr. Nixon never promised in 1968 to bring the budget into literal balance and that his deficits have had the sought effect of controlled stimulus.

In view of Mr. Nixon's recent expressions of scorn for the idea that the nation's inward ills can be cured by "throwing dollars at the problems," the scores of boasts that this President is spending more money on education, minority needs, protection of the environment, housing, health, urban recovery, rural development, the arts and humanities and what-have-you than any President before him has spent invite sardonic notice. But the claim of effort and of some success in many domestic problem areas is justified. So, it at least may be hoped, is the claim in the discussion of foreign policy that the Cold War has been "diminished if not ended by the President's successful Summit trips" to Peking and Moscow and the agreements that resulted. This cannot be said of the confident references to a "prospective agreement" to end the Vietnam war and a statement that "the US role" in a "Vietnam peace settlement" has been "virtually completed." In this season of frustration and expanded American attack, they serve only to document the case that Mr. Nixon and his negotiator and counsellor, Henry Kissinger, didn't know where they stood and what they were doing in this matter when the White House record of "change that works" was put together in early December.

Now for the promised responses and their sparse indications of what some of the President's assistants remember from the four years and, in some instances, from association with Mr. Nixon before he won the presidency.

Henry Cashen, 33, is a lawyer and a deputy assistant to the President. Cashen works with Charles Colson and has been involved with him in creating a remarkably complete system of contact with trade associations, ethnic groups, organized labor, the Catholic hierarchy and many other sources of prospective and actual support for the President and his policies. Of course without describing the process in intimate detail, Cashen remembers the skill with which the President took charge of the 1972 reelection effort about six months before election day and directed it while seeming to remain in a state of lofty detachment. The President's appeal to usually Democratic Catholic voters with his public stand against abortion, his promises of aid to parochial schools, and his courtesies to church dignitaries is recalled with special admiration. "The way he cracked that Catholic vote," Cashen says, "is unbelievable." Cashen, then three years out of law school, traveled with Nixon as a volunteer advance man during the 1966 congressional campaign. He remembers how the sometime Vice President, then widely marked off as a loser and not sure he wasn't, took heart from the crowds he drew at airport rallies and a year later, in 1967, showed with rising ebullience and vigor his feeling that "he was really back in the ball game." He remembers being with Colson, John Ehrlichman, George Shultz (now treasury secretary) and former Postmaster General Winton Blount when they reported to Nixon with some trepidation that the only way to deal with a strike of postal workers was to send the army into the New York City post office, and hearing the President say with wry amusement that he'd come to that conclusion without their help. There are "the little things" that Cashen and other assistants recount with suffocating regularity and genuine conviction, such as the President's courtesies to wives and visiting parents and his flair for pleasing them with the recollection of small details about them. It's one of the qualities that causes Cashen to say, "He's a very warm person and a very tough guy" and "There's nothing I wouldn't do for Richard Nixon."

Raymond K. Price, Jr., a reformed journalist who heads the White House writing staff, remembers a long memorandum that the President dictated after he visited a group of young antiwar protesters at the Lincoln Memorial in the dawn hours of a morning in May 1970, after he'd ordered the invasion of Cambodia. The memorandum recorded the frustration and disappointment the President felt when he read and heard news accounts of the episode. The youngsters had said, and the media had reported with relish, that all he could talk about was football and surfing and such. The President thought he'd been misunderstood and misinterpreted: he said in his memo that he was just trying to reach his hearers with the sports talk and then to get across to them some sense of his anguish and of his belief, however unlikely it might seem to them, that history would prove him to have been right. Ray Price also remembers his bitterness—his word—over what he calls "the despicable way McGovern handled the war issue at the end." His reference is to Senator McGovern's doubts, now proven to have been correct, that the draft Vietnam agreement disclosed by Hanoi and confirmed by Henry Kissinger in late October was a durable agreement that would bring the promised peace. "He had been briefed, he had seen the agreement, and he knew it was not a fraud," Price says of McGovern;

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Price is under the impression, widespread at the White House, that an authentic text of the October draft had been passed to McGovern through former Assistant Secretary of Defense Paul Warnke, who was getting White House briefings for the senator's benefit. Warnke says that he was briefed in some detail on October 28 but was neither shown nor given a text and thus never had one to give McGovern. It's a minor point, academic now, but indicative of the feeling in the President's vicinity that his opponent and not Richard Nixon was the tricky and devious candidate in 1972.

Edward L. Morgan, a deputy assistant to the President and deputy director of the Domestic Council under John Ehrlichman, never once mentioned a personal contact with the President during 40 minutes of shared remembrance. The closest he came to it was his recollection of being taken along on a visit to a navy carrier and of occasional invitations to state dinners. "I don't want to make it sound corny," Morgan says, recalling the carrier trip, "but the memorable part of it is, the President cares enough to take the little guys along." One of Morgan's many domestic tasks was to work on the original version, now in limbo, of the President's welfare reform program. He remembers the thrill he got when he and Richard Nathan, an expert on the subject and a former assistant, were with Governor Nelson Rockefeller in New York City and received a telephone call from John Ehrlichman in Bucharest. Ehrlichman, there with the President at the end of a round-the-world journey in 1969, said Mr. Nixon needed to know what Rockefeller thought of the welfare draft before approving it. Morgan told Ehrlichman that the governor thought well of it and the episode looms high in his memory of "the first really big one I was on." Morgan is to be an assistant secretary of the treasury and he looks forward with obvious pleasure to being "part of the President's team in the departments."

Lee Huebner, a writer on Ray Price's staff, remembers submitting the draft of a speech to the President last April, in the living room of his lodge at Camp David in the Maryland mountains near Washington. It was night time and the President was sitting alone in the dark, lights off, thinking. Huebner got back his draft the next morning with a scrawl across the top of the first page: "Lee – okay – good job – RN – 4:30 a.m." He surmised later that the President must have been pondering the recent North Vietnamese attack on northern South Vietnam and his decision, then in the making and soon to be announced, to intensify the bombardment of North Vietnam and mine its harbors. Mr. Nixon said on May 8 that he had to do it in order to end the war. Near the close of the first four years, he is doing it again in order to end the war.

John Osborne

The Misuse of Grand Juries

As if to underscore the prosecutor's point that scholars who refuse to answer questions when subpoenaed are entitled to no different treatment than accomplices to a bank robbery, federal marshals handcuffed Professor Samuel Popkin of Harvard when, in the presence of news photographers, they carted him off to jail shortly before Thanksgiving under a judge's order that he stay there until he would answer three questions to a federal grand jury. Precisely one week later, a beaming but unyielding Dr. Popkin posed for the photographers on his release from prison – a "surprise" development credited to the prosecutor's somewhat belated conclusion that the grand jury did not need Popkin's testimony after all. The grand jury – which had been investigating the unauthorized distribution of the Pentagon Papers – would not be meeting again, it turned out, before the date on which its term is to expire.

Dr. Popkin's tribulations were contemporaneous with publicized jailings of newsmen in California and New Jersey who had refused, on "reporter's privilege" grounds, to disclose information sought by local courts. So the issue most mooted in press coverage of Popkin's case was whether a scholar is entitled to the same constitutional privilege to protect his sources as a reporter enjoys. That seems a curious subject for discussion in light of the Supreme Court's ruling in the *Branzburg*, *Caldwell* and *Pappas* cases, decided in late June, that there is *no* source-protecting reporter's privilege. And what makes that debate even more curious is that protection of sources is not really what Popkin's claim was about. The three questions for which he went to jail did not ask him to divulge the names of anyone in government service who had given him information. The federal court of appeals in Boston – which had ruled on Popkin's claim *before* the Supreme Court decisions in *Branzburg*, *Caldwell* and *Pappas* – had been far more sympathetic to the public interest in protection of sources than a majority of the Supreme Court turned out to be. It had distinctly ordered that Dr. Popkin could be compelled to give names only "to the extent that the persons were not government officials or other participant-sources."

In other words, Dr. Popkin went to jail rather than disclose the names of *other scholars* with whom he had discussed the Pentagon Papers and from whom he may have learned the names of participants in the study. He also chose jail rather than answer the direct question of whether he had discussed the Pentagon Papers with Daniel Ellsberg during the six months before their publication. These questions were apparently important enough to the Department of Justice that it pressed for answers even to the point of jailing

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Popkin to compel him to reply. Yet one week later, it was disclosed that the grand jury investigation was over, at least for the duration of the Ellsberg trial in Los Angeles.

This sudden turn of events highlights the most threatening aspect of the Popkin case. It demonstrates that Professor Popkin spent a week in jail entirely at the option of the Department of Justice and solely because, as of Thanksgiving eve, the prosecution was still not ready to admit in court that the answers it was demanding served little or no legitimate purpose. Throughout the court proceedings that led up to Popkin's jailing, the prosecution had asserted that the grand jury was investigating in good faith into the commission of federal crimes, and that the questions it was asking were necessary steps in that investigation. Judges routinely accept the notion that grand juries have sweeping powers of inquiry, and they seldom interfere with grand jury subpoenas issued in apparent good faith.

Popkin's lawyers had argued vigorously that when a witness appearing before a grand jury is asked questions that might restrict free speech or free press, the prosecutor should not be able to compel an answer unless he satisfies a judge that the question is relevant and that the information cannot be obtained elsewhere. The court of appeals decision written by Judge Frank Coffin—usually sensitive to civil liberties—rejected that argument with the observation that a grand jury's "processes may include the pursuit of numerous strands of evidence, many of which may ultimately be of no use, but none of which can safely be abandoned." Similar language was used by Justice Byron White in throwing out the same contention in the *Branzburg*, *Caldwell* and *Pappas* cases: "The role of the grand jury as an important instrument of effective law enforcement necessarily includes an investigatory function with respect to determining whether a crime has been committed and who committed it. To this end it must call witnesses in the manner best suited to perform its task."

Ordinarily, of course, when a witness is compelled to testify, he appears in open court, before a judge, and he—or other parties interested in his testimony—can object to questions asked of him and can rely on the judge to protect the witness from harassment and to keep the interrogation limited to relevant subjects. A witness before a grand jury has no such rights: he testifies in secret, his lawyer is not permitted to be at his side, and the courts rarely interfere.

What is it about a grand jury that makes it so high and mighty? The grand jury is a group of citizens (numbering 23 in the federal system) whose function it is to hear evidence presented by a prosecutor and decide whether a formal charge—or indictment—should issue. Federal grand jurors are picked from the same voting rolls as trial jurors, but what they do and how they do it is significantly different. Federal grand jury sessions are run by a prosecutor—either a local United States attorney or a Department of Justice lawyer—and the proceedings are informal and secret. The grand jurors hear only what the prosecutor wants them to hear, and at the conclusion of the presentation the prosecutor asks them to vote on whether there is "probable cause" to charge the commission of a crime. A majority of the 23 members decides (unlike trial juries which must, in criminal cases, be unanimous), and in over 99 percent of the cases, it rubber-stamps the indictment the prosecutor wants to issue.

There is another aspect of the grand jury's proceedings where the 23 jurors play virtually no part, but where their presence gives the prosecutor substantially more power than he would have alone. Because grand juries did, at one time in their history, roam the countryside investigating crimes, they were given the court's authority to subpoena witnesses and compel them to testify. That power remains today, even though the jurors no longer decide on their own whom to call and what questions to ask. That is now the prosecutor's role, yet judges who should know better tend to treat the prosecutor's actions as if they were taken at the command of the grand jurors.

It is such "investigatory" grand juries that the Justice Department lawyers assembled in Los Angeles and Boston to look into the distribution of the Pentagon Papers. Using the subpoena power of the grand jury, federal prosecutors compelled newsmen, academics and even senatorial aides to appear and be asked questions about the Pentagon Papers. (The very same grand jury which subpoenaed Samuel Popkin also served its writ on Senator Mike Gravel's assistant to ask him where the senator had gotten his copy of the Papers and how he arranged to have them published. The Supreme Court added insult to injury by concluding—notwithstanding the solicitor general's concession to the contrary—that even Senator Gravel himself could be forced to testify on these subjects.)

Can there be any real doubt that the power to compel witnesses to appear and testify in so sweeping an investigation could be abused by aggressive, ambitious and determined young prosecutors? Would the courts as readily confer that power on prosecutors alone to conduct investigations in their own offices without the 23 citizens who convened, at the prosecutor's call, from time to time in the Post Office building in Boston? If not, should the prosecutors have that authority simply because they gather together 23 citizens to hear the questions they ask and the answers given by the witnesses?

The Popkin case boils down to another illustration of the trend in the current Department of Justice to arrogate to itself unreviewable powers. The courts have occasionally rejected these attempts—most notably when the department maintained that on its own evaluation of the interests of national security it could pro-

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hibit publication of the Pentagon Papers or install wiretaps and bugs. Unfortunately, in the reporter's privilege cases, as in Dr. Popkin's, the courts set up no meaningful procedure to supervise prosecutors' interrogations before grand juries. This leaves witnesses such as reporters and scholars—whose interests are often more public than private—to the less-than-tender mercies of government lawyers.

The lesson taught by Dr. Popkin's week in jail was, therefore, not that scholars must divulge confidential sources; if anything, the decision of the court of appeals protected the identity of secret informants within the government (although it jeopardized the privacy of discussions among scholars). What Dr. Popkin learned, as he announced at a press conference on his release, was that "there is an incredible bag of tricks that go with grand juries." The most useful trick—as any amateur magician knows—is not to let those around you know what you are really about.

Nathan Lewin

MR. LEWIN *was formerly an assistant to the solicitor general and a deputy assistant attorney general.*

Supply and Demand

Treating Heroin Addiction

by Peter J. Ognibene

There are more than a half million Americans who use heroin. Most are addicts who support their habit by committing crimes such as burglary, prostitution and robbery. A $40 or $50 a day heroin habit would require $150-$200 in stolen property to sustain the addict for a single day. It is estimated that half of all property crimes in New York City are committed by narcotics addicts. The cost to the nation in property losses is several billion dollars a year. The human costs are incalculable.

Every year more than a million kilograms of opium are illicitly harvested. Most of it is grown and consumed in Asia, but about a fifth of the crop is thought to enter the international market. Worldwide heroin seizures this year are expected to account for about four percent of the crop, which is 20 percent of the heroin in international traffic. These seizures have had an effect in the United States on the availability (low), price (high) and quality (poor) of heroin on the streets. One government official involved in controlling illicit drug traffic believes it is only a matter of time before more of the world's illicit opium finds its way here through new channels.

A recent General Accounting Office study on international narcotics trafficking notes: "The illegality of heroin is the sole reason for its high cost in this country; in England the pharmacy cost is $0.04 per grain compared with a US street price of from $30 to $90 per grain." If alcoholics can get their "fix" at neighborhood bars or liquor stores which in many places are state-operated, why, some ask, shouldn't narcotics addicts be able to "pick their poison" at local pharmacies? Legalizing heroin would destroy its profitability and almost certainly lead to the end of illicit trafficking, much as the 21st Amendment knocked out bootlegging in "wet" states.

Taking the profit out of the heroin trade, however, would probably not lower its use. On the contrary, there is reason to believe the reverse would be true and that legalized or clinically available heroin would lead to more people experimenting with the drug and becoming addicted to it. Heroin maintenance would require high doses administered three or four times a day. It is foolish to expect an addict to make multiple visits to a clinic and at the same time be able to lead anything like a "normal" life. Permitting take-home doses would result in increased experimentation by new users of the addict's acquaintance. "Heroin addiction is analogous to an infectious epidemic," says Dr. Peter Bourne, the former director of Georgia's narcotics treatment programs who is now an assistant director of the Special Action Office for Drug Abuse Prevention (SAODAP). "It spreads by face to face contact among friends. One addict, a Vietnam veteran, told me he had gotten 50 people started on heroin since his return." The dope pusher, contrary to legend, is more of a local merchant than an initiator of young innocents. Bourne is hopeful heroin contagion can be

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reversed through treatment of addicts who will then spread the message to other addicts.

SAODAP has been in business for a year and a half overseeing the drug abuse programs of 19 federal departments and agencies. Its director, Dr. Jerome H. Jaffe, is responsible to the President for "coordinating all of the federal drug abuse prevention efforts in treatment, rehabilitation, education, training and research." Law enforcement activities are now within his purview. SAODAP currently is concentrating its resources on increasing the availability of medical treatment for heroin addicts. When Jaffe appeared before the House Appropriations Committee in September, he reported there were 60,000 heroin addicts being treated and "another 30,000 . . . still on waiting lists, hoping that treatment capacity will soon expand . . . We must create a situation in which treatment is so readily available that no man can say he committed a crime because he couldn't get treatment." Jaffe estimates a "need for a treatment capacity of between 160,000 and 175,000 treatment 'slots,' since each 'slot' provides treatment for more than one patient each year, based on the turnover factor of 1.7." This increased capacity would make it possible to treat half the nation's heroin addicts in any one year. It's assumed that about twice as many addicts will volunteer for treatment once the word is out that it is immediately available. New York City, for instance, has over 16,000 on its waiting list for methadone maintenance.

SAODAP is providing funds for a number of different methods of treatment. "Multimodality" is the fancy word, but from the addict's point of view it boils down to two alternatives: methadone maintenance or "cold turkey" (detoxification). Although the addict in the latter instance may be given methadone or another substitute for heroin for a short period of time to delay the pain of withdrawal, he will go through withdrawal when he is later taken off the drug (detoxified). Under methadone maintenance, the addict is switched from heroin to oral doses of methadone, a synthetic narcotic which blocks the need for heroin. He is thereafter maintained on a stable dose of methadone, perhaps for the rest of his life, although some people have been successfully withdrawn from methadone. The statistics show more people in drug-free programs than in methadone, but this preponderance is illusory. "If you go to any one of the several programs that do not use chemotherapeutic approaches [*viz.*, methadone maintenance]," Jaffe told the committee, "[you will find] they keep no records. We cannot tell how many people are waiting and how many are treated. . . We do know there are 30,000 people seeking treatment with methadone." In other words, Jaffe's assertion that "we have increased drug-free programs more than we have methadone programs" is meaningless because it tells us nothing about which programs have been more effective in getting addicts off heroin.

Because methadone maintenance is addiction by another name, it is controversial. Black communities which have for so long paid the heaviest price for heroin addiction are skeptical of methadone. Their objections were expressed to Jaffe by Congressman Louis Stokes (D, Ohio): "They [black people] are aware and concerned about the fact that to subject a human being to another form of narcotic addiction is not curing that human being."

Jaffe replied: "Then I guess we have to ask, what do we mean by cure? Will they assume the responsibility for the fact that a substantial number of people who are denied treatment in programs die because they don't seek alternatives other than methadone? . . . In many parts of the country, we have 10,000 or 15,000 people on methadone who, according to the program directors, are working every day, paying taxes, being law-abiding citizens."

Methadone maintenance has been widely criticized, but the critics have yet to offer a workable alternative. At least methadone gets addicts out of the heroin-crime cycle, eliminates the considerable danger of of their getting hepatitis from heroin injections and gives them the heroin-free stability necessary for a more normal life.

SAODAP has been getting larger appropriations every year to expand treatment of heroin addicts, but heroin addiction is more than just a clinician's problem. Jaffe's office has been curiously shortsighted about the nonmedical aspects of heroin addiction. The best example of this myopia is its enthusiasm for "narcotic antagonists." A SAODAP fact sheet describes the effect of these nonnarcotic, nonaddictive chemicals: "Given before an opiate, an antagonist will prevent opiate-like effects. Given after an opiate, it will antagonize or reverse the opiate effects and will precipitate a withdrawal syndrome in addicted persons." Jaffe's office is properly interested in narcotic antagonists and is funding research to find one that will last at least 24 hours and have no undesirable side-effects. But Jaffe and his staff seem to have given little thought to *who* would want to take a narcotic antagonist. Why, for instance, would a person pay $40 or $50 to buy heroin, probably committing crimes to get the money, only to have his "high" blocked by the narcotic antagonist he took that morning? Why would he take one after a heroin fix only to "precipitate a withdrawal syndrome?"

Jaffe told the committee that he "was probably the first investigator in this country at least, and perhaps in the world, to have reported on the clinical use of narcotic antagonists in the treatment of heroin addiction." The uses, however, appear limited. "One possibility is the early experimenter may benefit from the antagonists which are not an active substance and protect him from the heroin high and overdoses and

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move from experimentation to addiction," Jaffe said. But later in his testimony he admitted: "Last year we could find only 27 people in the whole United States in federally sponsored programs where they were using these antagonists." Jaffe's interest in narcotic antagonists is understandable; what is not is how a drug which will not eliminate or reduce "drug hunger" can have the widespread use he seems to contemplate.

One of the great problems facing SAODAP is educating the public about heroin and other drugs. Although the federal government has spent almost a billion dollars on drug abuse control and treatment since 1969, a GAO study notes "this spending has not curbed drug abuse." A study by Macro Systems, Inc. for the Department of Health, Education, and Welfare, which HEW had suppressed until columnist Jack Anderson published excerpts, suggests the reasons for the failure of drug education programs:

> The unquestioned premise of education in general, and drug education in particular, holds that one can change behavior through information and education. There appears to be at least as much evidence disproving this premise as that supporting it. More importantly, it seems clear that youthful drug users know more about drugs than most transmitters [official sources], and prefer to seek further drug information from their peers rather than from authorized sources . . . It seems evident from this study that perceptions of the dangers of drugs do not necessarily lead to desired behavioral change, and that drug use cannot be explained or predicted by any single set of circumstances . . . A major finding . . . relates to the fact that illegal drug use is endemic among the youth population and that use of alcohol, tobacco, and mood-altering drugs on the part of adults is also widespread . . . Furthermore, it has not been unequivocably [*sic*] proven that drug use, especially marijuana, is dangerous, destructive, or unhealthy . . . Telling youth not to smoke marijuana because it is illegal calls the law into question—not marijuana . . . The use of drugs by young people seems to be woven into their total life style which appears to be taking place in a society saturated with many forms of drug-taking. Over 73 percent of young people state they use drugs for fun, pleasure, or to satisfy curiosity . . . Furthermore, programs focused upon clearly debilitating drug use would have a better chance of being accepted . . . It may be more significant to attempt to reinvigorate the high schools of America, raise the quality of teaching, and provide realistic valuable activities enhancing the self-worth of our young people than embark upon a failure-ridden quest for a youthful society free from drug use—a proposed idyllic island awash in a sea of alcohol, nicotine, and legally prescribed drug-taking.

What should the government do? Bourne says, "There's a lot of evidence that drug abuse education has in fact been drug abuse advertising." To whom do you address your message? "A message aimed at teenagers," Bourne warns, "carries the expectation that they will use drugs." A message aimed to a general audience is likely to miss the people who need it most. The Macro study implies that if drug prevention is the goal, education is not the answer. Nothing is "the answer," but when the public has been misinformed about the effects of drugs, it needs to be reeducated.

Take, for instance, the popular misconception about heroin "overdoses." More than 1200 people died last year from narcotics-related causes (mostly heroin). In New York City it was the leading cause of death for males between the ages of 15 and 35. The press generally attributed these deaths to "overdoses" of heroin, but a recently published Consumers Union study, *Licit and Illicit Drugs*, argues that the deaths were not the result of higher than usual doses of heroin, but rather of a synergistic reaction of heroin and other chemicals in the body. Three currently under suspicion are alcohol, barbiturates and quinine, which is often used to dilute heroin. The government could play a credible role by spreading an awareness of the dangers of multiple drug use with heroin. A coincidental effect of such public education might be a reduction in potential heroin users and an increase in addicts seeking treatment.

Educating the public about heroin "overdoses" is a reasonable task for government, but care must be exercised to guard against overzealous functionaries trying to write a larger message. For example, telling persons that they will get hooked if they *try* heroin could backfire, as much of the earlier anti-marijuana propaganda did. When the heroin shortage hit Atlanta this year, Bourne said, "the purity went down, and there was a tendency for people to use heroin just on the weekends. Every person who uses heroin is convinced he can handle it; so when they used diluted heroin, they believed they were beating it."

Medical treatment can get people off heroin, but keeping them off is less of a medical than a social problem. For the patient on methadone maintenance, Bourne says, "the critical factor is the supply of heroin. If heroin is scarce and his friends are no longer using it, his chances of staying clean are excellent. But if heroin is readily available and his friends are using it, his chances of staying clean are practically zero. In Atlanta there was a spectacular drop in the availability of heroin and a spectacular rise in the number of people staying clean." The danger then is clear: heroin addiction, which was thought to have peaked in recent years, may once again rise if the supply increases.

Heroin addiction is "a life style problem that cannot be solved by chemical means," says Bourne. "One must first deal with the physical addiction and second

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with the life style. Virtually every heroin addict will eventually come in and want help. If you can keep an addict involved in a program for a year, he has about a 40 percent chance of success; two years, about an 80 percent chance of staying heroin-free. But he must be involved in a meaningful activity: a job or an educational program. It is an obligation to try to get people jobs, but jobs are a function of the local economy. The job market is good in Atlanta, for example, but bad in Seattle." The government, Bourne adds, "is not spending heavily on jobs."

When one has cut through the public relations fog, one finds that the Special Action Office for Drug Abuse Prevention has a single function today: expanding methadone maintenance as rapidly as practicable. Because there is a shortage of medical facilities to treat addicts, this emphasis is perhaps necessary for the time being, but time is not on the government's side. Late next spring a new illicit opium crop of more than a million kilograms will begin to be harvested. If narcotics traffickers succeed in diverting a greater share of it into international traffic, the United States could find itself in the midst of a resurgence of the heroin epidemic.

Absentee Owners of America—III

Power in the Big Banks

by Vic Reinemer

Thirty-six hundred enterprises retail electricity in the United States. Two hundred and ten of them collect 86 percent of the $21 billion annual electric bill and spend a seventh of the new construction investment of all American industry. They call themselves "investor-owned."

The small, 14 percent end of the electricity market is served by a thousand rural cooperatives and more than 2000 public systems. There isn't any secret about who owns them. Rural electric cooperatives are run on the basis of one customer-one vote. The publicly owned systems operate as adjuncts of city government, as in Seattle, Los Angeles, Jacksonville, Memphis and Springfield, Ill., or through utility districts, which are common in Oregon and Washington. The federal government doesn't retail electricity, but it does wholesale it through such agencies as the Tennessee Valley Authority, the Bonneville Power Administration and the Bureau of Reclamation. Since the mid-'50s federal power generation has decreased from 15 to 11½ percent of the national total. At the same time, federal tax collections from the big private companies have decreased from 15 to seven percent of their revenue.

Who owns the investor-owned utilities (IOUs)? When utility executives talk about ownership they use the term "beneficial owners," the people who receive the dividends—those employees, pensioners, widows and orphans pictured in the "Who Owns Us?" advertisements. But corporate policy is the province of the proprietary owners, the institutions and individuals who have the power to vote other people's stock, and who have their own ways of profiting from utility operations.

Every year each IOU files a report with the Federal Power Commission purporting to show the voting power of its top ten stockholders. Most of the reports are phony, but every year the FPC accepts them and puts the misinformation on public display.

Let's look at Carolina Power and Light for an example. Its board chairman, Shearon Harris, recently completed a year's tour as chairman of the Edison Electric Institute, the IOU trade association. He is a former board chairman of the National Association of Electric Companies, a utility lobby. Harris' company reported to the FPC this year that 12,496,612 of the 16,767,958 total possible votes were cast at its last stockholders' meeting. The top ten stockholders and their voting powers were listed as follows:

Merrill, Lynch, N Y	685,112
Stuart & Co., N Y	632,540
Sigler & Co., N Y	311,883
Wake & Co., Winston-Salem	295,750

VIC REINEMER *is executive assistant to Sen. Lee Metcalf (D, Mont) and coauthor of* Overcharge.

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Thomas & Co., N Y	293,502
Steere & Co., Philadelphia	283,926
King & Co., N Y	241,588
Kane & Co., N Y	234,928
Atwell & Co.	170,767
Prudential Insurance Co.	152,000

Merrill, Lynch, Pierce, Fenner and Smith, a diversified financial company, and Prudential Insurance Company of North America, are for real. The other eight are not. They are "street names" or "nominees," *i.e.*, pseudonyms and post office drops for institutional investors who are chary about seeing their names on ownership reports. Sigler & Co. is really Manufacturers Hanover Trust. Kane & Co. is Chase Manhattan. Atwell & Co. is US Trust of New York. Steere & Co. is Girard Trust. Wake & Co. is Wachovia Bank and Trust, the largest bank in the South. John Watlington, Jr., the president, is a director of Carolina Power and Light. He is also a director of CP&L's "competitor" in the Asheboro area, Piedmont Natural Gas. Watlington is but one of 568 interlocks between major banks and utilities. That figure doesn't come from the FPC, which doesn't have it, but from Angus McDonald, a former Farmers Union lobbyist, after weeks of research at the Library of Congress.

Three of CP&L's "top ten" are the same New York bank, First National City Bank. Citibank's three accounts—Stuart, Thomas and King—add up to more than a million shares. Financial experts say that a five percent voting interest in a corporation can control if the other votes are scattered. CP&L has 35,752 stockholders. Citibank has voting control of at least 7½ percent of the votes in CP&L.

Take another example, Virginia Electric and Power. Citibank controls 7½ percent of the votes at VEPCO, which reports holdings by Citibank in three nominee accounts. Unlike CP&L, VEPCO at least adds after each nominee, in parenthesis, "% First National City Bank."

Prudential Insurance owns more than 800,000 shares of VEPCO stock. VEPCO doesn't report a quarter of a million of them. Last year Sen. Lee Metcalf (D, Mont.) asked the FPC to explain the discrepancy between VEPCO's and Prudential's reports. FPC bucked the query to VEPCO, which finally found the unreported shares in six nominee accounts named Oneco, Twoco, Treco, Forco, Fiveco and Octco. (The insurance company also has a dozen other pseudonyms, including Sixco, Sevco, Aftco and Cadco.)

Of the 210 major IOUs, ten small ones are owned principally by a few individuals or a family. Forty-seven are completely controlled by holding companies. That leaves about 150 in which institutional investors congregate their holdings. Insurance and investment companies often are among the top ten stockholders. But banks, especially big banks, dominate.

Fourteen big banks are among the top ten stockholders of ten or more electric utilities. Chase Manhattan, using four different street names, appears among the top ten stockholders of 42 utilities. Morgan Guaranty Trust, using 13 nominees, is among the top ten of 41 utilities. Manufacturers Hanover Trust, using five nominees, appears among the top ten of 31 utilities. Citibank, State Street Bank and Trust of Boston and Bankers Trust of New York are listed among the top ten stockholders of 20 or more utilities. The other banks listed among the top ten stockholders of ten or more utilities are New England Merchants National Bank, Bank of New York, Northwestern National Bank of Minneapolis, US Trust of New York, Continental Illinois National Bank and Trust of Chicago, Girard Trust of Philadelphia, National Shawmut of Boston and Chemical Bank of New York.

Utility holding companies file ownership statements with the Securities and Exchange Commission. Their reports are even less informative than those filed with the FPC by operating companies, and indicative of unreported concentration of voting power among institutional investors.

This year the Southern Company, a utility holding company headquartered in Atlanta, reported that the only stockholder with more than one percent of its voting securities was the Affiliated Fund, with 666,950 shares (1.07 percent). Citibank almost simultaneously reported it held 2,241,000 shares in the holding company, three and a half times as much as the "largest stockholder" reported by Southern.

Middle South, which is actually a New York utility holding company, says that only one stockholder has more than one percent of its stock. Citibank (which deserves an electric warming tray for being more candid than many institutional investors) reports that it holds more than three percent of the stock of Middle South. Harvard holds a similar amount, through several investment enterprises including "President and Fellows of Harvard College," State Street Investment Corporation and the Harvard-Yenching Institute. The key individual in these accounts, Harvard Treasurer George Bennett, also sits on the board of Middle South. He earned his director's fees years ago by persuading the SEC to overrule its staff and permit Middle South executives to grant themselves stock options.

The banks that dominate the IOUs, either directly or through holding companies, do not go unrewarded. Frequently they use their strong position inside utilities to siphon off funds on which they pay no interest, and which they then lend at high rates. This game is called "compensating balances." Before the bank makes a loan it requires the borrower to deposit a percentage of the loan in an account which bears no interest. Arnold Hirsch, who has represented many public groups including the City of New York in rate cases, says banks have been raking in windfalls through this scheme, thanks to interest-free utility deposits.

A variation was applied recently by the Alabama

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Power Company, most of whose directors are bankers or lawyers for banks. Four million dollars in bank deposits were included in the company's rate base, which should include only the depreciated cost of plant and equipment. That way the IOUs' owners were able to earn a return off money deposited in the bank—money that could, instead, have been earning interest for customers.

Another beneficial arrangement enjoyed by banks involves the payment of utility bills. Ask your banker what financial arrangement he has with utilities for payment of customers' bills and you will probably get a vague answer. One candid, small-town banker, who is also a state legislator, says his arrangement is simple: People never pay their utility bills through his bank, but a utility pays him a set fee for the "service" each month.

The big banks' interest in IOUs is sometimes reflected in their advertising. Back in the Eisenhower administration, Guaranty Trust attacked public power in full-page ads at a time when its board chairman was also board chairman of Duke Power. More recently, as utility advertising and promotion budgets have properly come under sharp criticism, banks have solicitously picked up part of the IOUs' image-making tab. A First National Bank of Chicago full-page ad this summer blamed environmentalists for the energy crisis, which in truth is due principally to poor planning, sales promotion, a rate structure which encourages waste while penalizing the poor, and the IOUs' opposition to a national power grid. Corporate headquarters of First National are located at One First National Plaza, which is also where Commonwealth Edison is based. Commonwealth's president and a Commonwealth director sit on First National's board. The bank holds three of the top ten blocks of stock in Commonwealth, along with significant holdings in Texas, Indiana, Kentucky and Iowa power companies.

Banks also urge rate increases and frenzied financing to meet the energy crisis. Chase Manhattan last July issued its "Outlook for Energy in the United States to 1985," which concludes that "restrictions that have stifled both the generation of capital and the incentive to invest must be removed at once." The recommendation appeared on the same day that Chase Manhattan Corporation, the holding company for Chase Manhattan Bank, reported a 25 percent gain in operating profits for the second quarter of 1972. Nowhere in Chase's fancy brochure was there mention of the concentrated control of America's energy resources.

There is no lack of alternatives to bank control of "investor-owned" electric power companies. One would be to replace the mutated "one share-one vote" principle with the democratic "one man-one vote" concept. "One share-one vote" is not sacrosanct and has no basis in common law. Alexander Hamilton argued with great foresight that "a vote for each share renders a combination between a few principal stockholders, to monopolize the power and benefits of the bank, too easy." He argued for "the prudent mean," in which large stockholders would have a reasonable but not controlling degree of weight. William Penn's Free Society of Traders and other early American business enterprises sharply restricted capital's voting rights. Hamilton's "prudent mean" is applied within corporations in a number of capitalistic countries, but lobbyists wiped its last vestiges off the books in the US by the beginning of this century.

Another long-proven alternative to bank-controlled IOUs is public or cooperative ownership. Rates charged by most public power systems are substantially below those of IOUs. According to FPC statistics, the average price of publicly retailed power was about 1½ cents per kilowatt hour in 1970 compared to 2¼ cents for IOUs—a 50 percent difference. Public power systems also return to their communities, for public purposes, an average of 20 cents out of every revenue dollar. By contrast, the top 100 private utilities return to their absentee stockholders an average of 15 cents out of every revenue dollar. And unlike bank-controlled IOUs, public systems are locally controlled and sensitive to the needs of users.

Cooperatively owned electric systems, located in rural areas, are holding their own financially. That is no mean accomplishment for small institutions which are required by law to provide areawide service in the countryside, which people are leaving, and prohibited from serving the cities and towns where farmers go. IOUs have almost ten times as many customers and 15 times as much revenue per mile of line as co-ops do. It was this difference in density and revenue between rural and urban power systems that led Congress to establish the two percent Rural Electrification Administration loan program in the '30s. IOUs as well as co-ops are eligible for the REA loans, but the IOUs find they make more money by borrowing from bankers at higher rates and refusing to service out-of-the-way places. Nowadays the two percent REA loans supply about half the co-ops' construction needs. They must go to the money market and borrow the rest at higher rates. The blended interest rate is thus rising, leaving the co-ops with low-density loads and diminished financial advantages. Yet they still get power to their customers for about two cents per kilowatt hour, which is better than a majority of IOUs.

Co-op customers, who are also the owners, can help decide with their votes what their local power system does. That is also the prospect in places such as Berkeley and Foster City, California; Norman, Oklahoma; Falls Church, Virginia and dozens of other communities where citizens are challenging the franchises of IOUs. The interest in starting new municipal power systems is higher now than at any time during the past 25 years. The cozy and costly bank-utility monopoly may yet be rolled back.

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Stanley Kauffmann on theater

The Creation of the World and Other Business

(Shubert)

Going to Arthur Miller's new play is like going to the funeral of a man you wish you could have liked more. The occasion seals your opinion because there is no hope of change.

Miller's reputation is chief among several paradoxes in the American drama of this century. Several playwrights, such as Elmer Rice and Robert Sherwood and Maxwell Anderson, had large reputations during their lives, here and abroad, and all during their lives there were a few qualified critics who dissented. (Now those reputations do nothing but diminish.) Excepting Eugene O'Neill and Tennessee Williams, Miller has the largest international reputation of any American playwright ever, and he too has had a similar group of dissenters. There have always been two Millers: the great dramatist, in general opinion, and the much lesser one in the opinion of (in my view) the best critics.

One reason I have always assumed for his success in most foreign countries is that his language improves in translation. One reason I have always assumed for his success everywhere is that he makes people feel they have gone on daring intellectual-spiritual expeditions when they have really stayed cozily at home the whole time. He supplies the illusion of depth without endangering anyone, and he gives his audience a painlessly acquired feeling of superiority just by having been present at his plays.

This is not an accusation of cunning; Miller has not tried to put anything over on anyone, like some of our present-day "serious" American filmmakers. Generally his plays suffer from fuzzy concepts, transparent mechanics, superficial probes, and pedestrian diction; but he has done the best he could. True, *After the Fall* is tainted with a wriggly feeling of exculpation for some matters in his private life, but usually the falseness that crops up in his work is of another sort—the peculiar falseness of honest writers who are not talented enough to keep free of dubious artistic means.

Now the "double" Miller presents a new play. Whatever his admirers think of it, those who have thought less of him cannot now think more. Almost five years after his last play, *The Price*, almost nine years after *After the Fall*, Miller gives us a comedy based on the story of the original Fall, the first two chapters of Genesis. Hardly an unhackneyed subject, but that in itself is no bar: when Shaw wrote the first part of *Back to Methuselah*, he knew about Milton, among others. The only pertinent question is: what does the new user have to say or show us about the subject? What new insight or freshened experience of old insights does he give us? The answer in Miller's case is "none." I got nothing more from his play than that it was by a writer starving for subject matter, anxious to keep busy, who grabbed at an available classic subject and, to mask his desperation, treated it comically, to make it seem as if he had just managed to find time, in the midst of a busy schedule, for a little philosophical divertissement.

The program provides rubrics for each of the three acts, "Three Questions on the Human Dilemma," but since they only overload a frail work, I won't quote them. The first act takes us through the expulsion from Eden, the second through the birth of Cain, the third through the murder of Abel.

Like Milton, Miller introduces Lucifer and some angels into the scriptural story, and, like Milton, he makes the Genesis story resemble the Book of Job: we see the effect on human beings of a contest between superhuman beings. There the resemblance ends. We have no right to expect Miltonian grandeur or original theology of Miller, but we have a right to ask *something*. What does he give us? The Genesis-Milton story, reduced and distorted, and put in comic terms; and his comic method is nothing but anachronism. Adam knows it's Sunday because Eve serves him croissants. People tell Lucifer to "go to hell." When Adam misbehaves, God calls him a "schmuck." An angel tootles a bit of Beethoven on a bassoon. God mentions Notre Dame. He waltzes with Eve—to Strauss and Ravel. The anachronisms might be engaging (as they often are for Shaw) if they were used to some purpose, but all we get here is a rehash of homiletics, inconsistent and stale, in language that mixes King James and Kingsbridge Road. If Neil Simon had decided to treat the Fall, he could not have skimmed more shallowly, could not have been more cheaply referential, and would certainly have been a lot funnier.

For his own reasons, I suppose, Miller omits the fact that there were *two* forbidden trees in the Garden, one of the knowledge of good and evil, the other of life. To put the Genesis account briefly: God lies to Adam, telling him that if he eats the fruit of the first tree, on that very day he will "surely die." This

(continued on page 35)

Films Worth Seeing

Chloe in the Afternoon. Eric Rohmer's sixth Moral Tale concludes his series of gentle, esthetic insistences that there is more to love and sex than modernist reductions.

The Discreet Charm of the Bourgeoisie. The New old Buñuel slyly slices open his favorite victims with diabolic wit to reveal—us.

The Emigrants. Max von Sydow and Liv Ullman in a well-made narrative of Swedes leaving Sweden for the US in 1844.

The Ruling Class. Peter O'Toole and a superb cast in a messy but well-written satire about a religious maniac who succeeds to an earldom.

La Salamandre. A funny, grave, important film. Two TV documentary writers want to write a script about a workingclass girl, but her reality is too much for them. Swiss, believe it or not.

The Sorrow and the Pity. Four and a half fine hours of documentary about wartime France and some survivors.

Why. Nanni Loy directs the excellent Alberto Sordi as a man who plunges, through judicial error, into the seven circles of Italian prison hell. Forget concocted horror films; this is real horror. SK

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Gerrit Henry on art

Good Intentions

Recently I overheard an argument between a painter and an art critic over the question of what made for good painting. The painter held that painting was good when it was "interesting," the art critic countering that it was good only when it was "great." Ho hum. Roughly speaking the painter's emphasis might be labeled as typically American, and the critic's as traditionally European. Nobody will ever settle the argument but it does continue to rage, especially in the wake of an exhibition at the New York Cultural Center (until December 31, after which it will tour the country), "Ottocento: 19th Century Italian Painting in American Collections." Everyone knows that the French impressionists are the acknowledged masters of 19th-century European art—*i.e.*, great. What everyone doesn't know is that Italian painting did not come to a dead halt at the end of the 18th century (maybe continued to be "interesting"), and this exhibition intends to set the record straight. It also intends, if only by inference, to present ottocento art as a kind of separate but equal antidote to the overdose of impressionism the public has been suffering from for the past 50 years, and while the cure isn't really up to the curse, it doesn't really matter. "Ottocento Painting" follows a trend: first, a few years ago, came a renewed interest in the English pre-Raphaelite and symbolist painters, to be followed shortly thereafter by a Yale University-sponsored excursion into the stormy waters of "19th Century German Painting" and a St. Petersburg Museum of Fine Arts mounting of "19th Century Spanish Painting." No wonder that little-known Italian painting of the same period should now be getting equal time.

And the time it gets is well used. As with most shows of an academic nature, the production values of "Ottocento Painting" are high. Historical documentation is excellent, painters and periods are well represented, and the tracing of sociocultural currents (in the show's catalogue) is flawless. French-inspired neoclassicism gives way to patriotic romanticism, which in turn is reacted against by realism; there are even a few names and schools a modest art student will actually have heard of, the Macchaoli landscape painters, Segantini, Mancini, and the delightful, John Singer Sargent-like Giovanni Boldini among them. If not exactly a feast "Ottocento Painting" is at least a smorgasbörd.

Like a smorgasbörd, though, this sort of survey exhibition makes a direct and not entirely accountable equation between quality and quantity, or the aforementioned greatness and interest. No amount of diligent yea-saying on the part of the show's organizer, Dr. Annie-Paule Quinsac of the Columbia Museum in South Carolina, puts the viewer's mind at rest. "Until the last twenty years," writes Dr. Quinsac, "no serious art historian would have tackled 19th century Italian painting, which was left to the *dilettante*." Presumably, Dr. Quinsac's academic and curatorial credentials rescue her from any such epicurean fate, but can they do the same for the paintings on view? Probably not. But, this being 20th-century America, we might still take the painter's position in the argument and praise the Cultural Center exhibition for the historical interest it so brashly invites. And interest isn't the only thing this show has going for it. Questioning an art critic friend recently about what he saw in the work of a sculptor whose talents generally escaped me I was told, "Well—he has integrity."

Just what "integrity" has had to do with the quality of art before the 20th century is a moot point, but there is no denying that much of the greatest vanguard art of the modern period is judged on qualities of mind and soul over craftsmanship and talent. As critic Clement Greenberg has written, modern art has proven to be not a matter of "skillful making, as the ancients defined it, but an act of mental distancing." Similarly, it isn't the value of the paintings themselves that might conceivably make "Ottocento Painting" a joy to behold, it is the care and integrity its organizers have shown in preparing it. To paraphrase McLuhan, the interest is the message.

All this may seem a little rarefied, but is of the nature of the contemporary art historical beast. And maybe in the end the spirit behind academic carnivals such as this one isn't so much academic

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and precious as egalitarian. It is "interesting" to note, for example, that all the recent revivals of little-known European art are being carried out by American museums or universities; and Italian art critics, Dr. Quinsac complains, have dismissed 19th-century Italian painting as provincial. There is something appealing in the American position here, though it may at first seem tasteless. Maybe in favoring fair representation over traditional esthetic judgment Americans have been inventing their own native art form. How, after all, could the Statue of Liberty have "taste" and still be the same lady?

True, moral sentiment may have little or nothing to do with artistic quality *per se*, but we Americans continue to think it does, as Henry James was forever making clear. And the battle between Old World values and New World freedoms rages not only on cultural fronts, but also on social, political and personal ones. If "Ottocento Painting" seems a little idealistic in championing the underdog of minor 19th-century art, it's also extremely faithful to the American dream of liberty and justice for all. "Interest," in other words, may just make for a kind of greatness.

The Fact would seem to remain that moral sentiment has little or nothing to do with artistic quality, even though, as Henry James was forever making clear, we Americans think it does.

"Ottocento: 19th Century Italian Painting in American Collections" closes December 31 in New York City, after which it will tour to the following museums: Columbia Museum of Fine Arts, January 9-February 4; Museum of Fine Arts, St. Petersburg, February 26-March 25; Cummer Gallery of Arts, Jacksonville, April 2-April 29; Massachusetts Institute of Technology, May 5-June 15.

From Brooklyn to the Bronx

Over and Out

by Norman Rosten

(Braziller; $5.95)

Begin to Start

by Su Negrin

(Times Change Press, Penwell Rd., Washington, NJ 07882; $6.95)

Brooklyn again. I like Brooklyn from a distance—a distance I intend to keep—and reading a book about Brooklyn is a way of keeping the distance. Norman Rosten's new novel is a nice one in which I do get the feel of a Brooklyn I want to believe in. His Brooklyn is peopled by mostly amiable lost souls touching each other for brief moments then falling back into privacy. All meetings are casual. The dark issues of life may on occasion be discussed but they will be discussed on street corners and in dentist chairs, and they will *only* be discussed, not confronted in life. Life itself is dull. His hero keeps walking around Brooklyn savoring its dailiness while astronauts and other immortals dedicated to significant action cavort in the background, their accomplishments reported through the filters of newspaper and TV. Yes, I think Rosten has caught something important about America as well as Brooklyn, something hard to refute or argue with.

Not that I want to argue. I would like sometime to do my own book about that America, from outside Brooklyn but not far out. Rosten's hero's ramblings reminded me of an assertion about the US made a long time ago by a mad Englishman, Wyndham Lewis, who said this country was a most "excellent vacuum." He liked it for that, and wanted to come live here. We who can't help living in it are not so sure of its excellence but we do find the vacuum part constantly confirmed. To which must be added that though we live in a vacuum we have a large fantasy life of nonvacuum.

We? 'Tis I, sitting at a desk in Washington who is fantasizing a we. Washington is 250 miles from Brooklyn, and downtown where the marble begins it is a different order of experience from Brooklyn. At least the newspapers and TV tell us that it is; the reporters stand on the lawn of the White House and tell us regularly that the sky is falling down but that the President or perhaps Kissinger is busy propping it up. Their news always sounds important but then they are paid to make it sound important. Anyway they and the White House are miles away from my Washington, or from Brooklyn. I haven't for example saved the world from Hitler for nearly 30 years.

Rosten's hero wanders through life without money or power (he is therefore almost automatically a "nice guy") and without even intimacies. He is separated from his wife yet still living in the same quarters with her—how about that for a way of life? Does this alienated pair fight, throw dishes, make passionate speeches of hate and then jump into bed and reenact happiness? Not at all: they live in separate rooms, have a schedule for separatist use of the kitchen, and occasionally speak to one another in brevities like these:

> "How are you managing in that corner room?"
> "Better than I expected. I made friends with a spider. And you?"

His closest relationships are with the casuals he meets on what he calls his appointed rounds: a dentist who plays psychiatrist for him, a traffic cop who tries to help him not to get tickets for parking on the Tuesday-Thursday side on Fridays, a famous poet who drops in for a few days and tells him how to live, a yoga girl, a cleaning woman. He is an unsuccessful writer (of course) and therefore out of America's mainstream of business, except for an aberrant episode in the book where he sets out to be a paper salesman. Of course he fails. He then goes back to his appointed rounds, and the cleaning woman keeps asking him, "Have you finished that story yet?" Of course not. So by temperament and by order of the fates he is obliged to remain a detached observer of life, a nice guy. At the end he gives us a poem that sums things up,

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about how difficult it is just to be human, and we leave him as he continues to struggle, wisely and humbly, with *that*. In other words the novel introduces us to someone who has managed to miss out on everything in life except what is primary. A Brooklyn even partially populated with such failures would be heaven.

Su Negrin is not from Brooklyn but the Bronx. She is "a Bronx, white, working-class, childrened, 27 year old, Jewish, bi/gay-sexual, female, person." Her book has no visible connection with Rosten's, and the juxtaposition may seem frivolous. Yet reading the two of them within a day or two of each other I was suddenly struck that they were both statements about the good life—and on that topic they were much further apart than the Bronx is from Brooklyn. Rosten's man is never described as a liberated spirit; he goes on his *appointed* rounds, he keeps being pushed through his days rather than muscling through on his own—yet he does emerge as one who has explored the possibilities of liberation, of full humanity. Ms. Negrin on the other hand, a sort of professional liberationist, managed to convey, at least to me, the impression of someone moving away from the good free life rather than toward it.

Not that this impression is intended. She presents herself as a woman long liberated from her husband who is bringing up her children in a liberationist manner (her book goes beyond women's lib to children's lib—she gives her eight- and 10-year-olds allowances and they take it from there, doing their own shopping, their own laundry, etc.) and trying to be a liberated soul herself. The trouble is that she is chained to her theories—at least as we see her in print—so that she has no will or capacity to walk around her world, as Rosten's man walks around Brooklyn, and let the dailiness seep in. Does she write of experience?—Hardly at all. She begins at start, as her title says, but to begin at start means to her not that she start with the sensed life but that she begin as an amateur philosopher-theologian-biologist-sociologist and define the nature of man and tell us about ecology, exploitation, oppression, domination, expectation, objectification and what-all. Even when she does get down to the details of her own felt life—and she does, rarely—the language barrier is so great that one can only dimly see her behind it. Sample:

> Being dominated feels like always wondering if I did the right thing.
> Being dominated feels like discovering that I never knew *how* a letter appeared when I hit the keys on the typewriter (instant universe).
> Being dominated feels like worrying how I look when somebody's coming over.
> Being dominated feels like singing along instead of singing.
> Being dominated feels like being depressed and not knowing why.
> Being dominated feels like needing someone instead of loving her.
> Being dominated feels like trying to correct my Bronx-Jewish accent.

Such statements constitute her claims to be talking turkey rather than theory, and I agree that she does insert a considerable body of detail about her own life and person in the three pages she devotes to what "being dominated" means. But the trouble is that the idea (domination) dominates the detail. It does so syntactically, by beginning each sentence, and ideologically, by chaining each fact to an abstraction. She can't let an event be an event, a rose a rose, even when she happens to descend to events or roses, which is seldom. Mostly she keeps herself in the upper stratosphere of liberationist thought, as in the passage below, which seems to me to be depressingly characteristic of current revolutionary thought:

> Utopia involves global wholeness, decentralization, diversity, human-scale, post-scarcity abundance, ecological soundness, collective orientation, individual control, authenticity, sensuality, synthesis, conflict, pleasure, hard work, interdependency, sadness, pleasure, intuition, laziness, contemplation, anger, bionics, good health, change, death, love, community, isolation, trust, ease, OKness, awkwardness, ecstasy.
>
> In traditional utopia the cost of getting rid of pain is a bland society devoid of pleasure. False choice number 36,784,278. Once we stop being afraid of pain and pleasure, I think we'll be able to deal with the former and for the first time really get into the latter. I don't go for this religious shit propaganda that you have to take the bad with the good. So far it looks like we've been getting only the bad and I can't say I've seen people storming the government (or the church) in

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> protest. People are afraid of pleasure—that's where it's really at . . .

I respect Ms. Negrin's hopes for us, and I respect the ambitious small publisher that brought her book out. I would not only like to believe that we could "make it to utopia . . . world-wide, right now," as she says in her introduction, but that the utopia we choose would be a sort of permanent happy hour. But experience as well as the dictionary (utopia—"a place imaginary and indefinitely remote") suggests to me that we won't get all that—that is, we won't get either the "traditional" utopia or the new happy one, but, at best, some poor human substitute like Rosten's Brooklyn. I confess that the way utopia is described, above, I'd rather be in Brooklyn anyway.

Reed Whittemore

The Private I

North of Jamaica

by Louis Simpson

(Harper & Row; $6.95)

The oddest thing about Louis Simpson's autobiography is the tone. This isn't apparent at first, since the book begins, somewhat as Joyce's *A Portrait of the Artist As a Young Man* does, with a kind of baby talk which successfully reflects the child's perceptions and language. Simpson recounts his rather exotic boyhood: the son of a Scottish father and Russian mother, half-Jewish (although he doesn't know that until later) being brought up in Jamaica to be a typical English boy among other typical English boys in spite of mangoes, palm trees and sharks.

The reader's awareness of a peculiar tone develops gradually, as Simpson tells of his parents' divorce, his father's remarriage, the schooling he and his brother received. Simpson discovers his vocation when he sees his first essay published; he falls in love; his father dies; he leaves for New York, at his mother's invitation.

By the end of this first section of the book I had decided that the voice was odd in some vaguely recognizable way, as if it recalled another kind of narrative. Only at the end of the narrative did I have this suspicion confirmed and clarified. Apparently Simpson has chosen (consciously or unconsciously) a theatrical strategy: to write an autobiography in a voice not his own, or at least a voice strongly influenced by a voice from the past. I haven't read the mid-19th-century Russian poet and critic Apollon Grigoriev, but Simpson has, and in his next-to-last chapter (the most engaging passage in the book; the most *finished* in a novelistic way) he allies himself with Grigoriev. They are "unnecessary men": skeptical and uncertain, unable to sustain for long a thought or a story, their heads "full of seemingly significant scenes, gestures, faces, words spoken, that have no significance because they are not connected and serve no purpose." Simpson and Grigoriev are not what the latter called *hommes fort*, who "have strong appetites for fame, money, women. In order to serve their appetites they seize life with both hands." Instead these two poets "inhabit the penumbra." Without convictions, they stand amazed before the *hommes fort*, those writers with certainty, with "their ability to generalize, the clarity of their ideas, their lack of sense-perception." (Note the bland irony in that last attribute.) Simpson and Grigoriev "could never write like that. We are obsessed with a handful of words, the way a branch keeps tapping against the window."

If my hunch about the book's voice is right, a good many mysteries are cleared up. The artifice of such a voice accounts for the narrator's *faux naif* diffidence, his dry, laconic manner of dealing with subjects usually described with more feeling. It also explains the flatness and disconnectedness of much of the prose. The narrator often sounds like a character who has wandered in from an obscure Chekhov play. It's not an easy voice to maintain, since it can slip rather easily into self-righteousness, its gesture the wide-eyed shrug of the truly simple man. It's a descent Simpson doesn't altogether avoid, but more on that shortly.

The obsession with a handful of words is, not surprisingly, the book's chief subject. Poetry, the life of the poet, the growth of the poet's mind, the state of poetry nowadays, poetry and politics: solid matter, handled with wit and brevity (too much brevity at times: Simpson's history of American poetry in the '40s and '50s has a somewhat potted flavor. Is the reader drawn to this autobiography going to *need* this kind of lesson?) Simpson's war experiences and his observations of Whitman and the American landscape have fathered poems that are already ours: we can only be grateful to have him recite in another form those poems' origins.

The most moving chapter in this life describes Simpson's nervous breakdown some time after he had returned from the war. Understated and undramatized, the story barely rises to the surface *as* story, and the conclusions, the lessons learned have a stern austerity:

> My experiences in the hospital left me with a lack of sympathy for the everyday "problems" of human beings. I cannot take people's troubles in love too seriously, and am unable to sympathize as I ought with a man who has difficulties finishing a job. As for people who think there is something romantic about mental disorder, I must confess I have contempt for them.

The narrative ends with a mysterious and troubling vision: "Around me were other patients—the one who lay face down on a bench, contracting, the four who were always playing cards. Then I heard, as distinctly as I have ever heard anything, a voice say 'Praise God! They resist, they resist.' Who resisted? What were they resisting? I wish that I knew."

The second half of the autobiography—the career: return to Columbia after the war, a year in Paris, five years working for a publisher, to Columbia again

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for the PhD, publication of poems and books of poems, a stint at Berkeley, putting together an anthology—is generally much less ingratiating than the first half, with the exception of the penultimate chapter I've already mentioned. Despite Simpson's gay assertion that he and Grigoriev "inhabit the penumbra," that they are free of the rigid certainties of their contemporaries, I come away from these later chapters with the exactly opposite impression. Is Simpson disingenuous or am I missing the irony? Is it an "unnecessary man" or an ordinary censorious man who is dead certain about the great many things he doesn't like: New York literary life, California ("O God, O California!"), "creative writing" courses, audiences at readings, McLuhan and Leary, flower children, the poetry of Lowell and Wilbur, the West Coast poets, Ginsberg's *Howl*, New Criticism, *The New York Review of Books*, *Hudson Review*, *The New Yorker* and its editorial policies, the Sorbonne, French educational bureaucracy, *Time*, the publishing industry, suburbia, Lionel Trilling, American foreign policy, the war in Vietnam, etc. A long plague list, and not an exhaustive one.

At the risk of appearing censorious myself, I suggest that there's something else even more seriously wrong with Simpson's autobiography, wrong, that is, if the autobiography moves within the borders of the novel, as it often does, I think, at its best. The poet's lyric meditation, the inward vision of the private I, might be expected to accede to the demands of prose narrative, to a recreation of the otherness of lives surrounding the poet-narrator's life. But such is hardly the case in *North of Jamaica*. Others barely exist: names, blurred figures, a complimentary epithet here and there, more often characters dismissed with contempt, stereotypes who clearly deserve, in the narrator's eyes, little more. One passage is particularly suggestive: Simpson recalls his days at training camp and remembers no remarkable "characters" of the kind found in other, similar accounts. He doesn't say so outright, but there are no remarkable characters, any solid and vivid lives, anywhere in his book, except himself, his own. It's clear that such exclusions are a conscious choice—his first marriage and divorce each receives a sentence or so—but that fact doesn't save this autobiography from seeming to have at its center the chill emptiness of a solipsistic mind.

James Boatwright

Reconsideration

Daisy Miller

And there she was, Daisy Miller, the American Girl, pretty, vulgar, vulnerable, formally presented to the public in 1878 by the young Henry James. She charmed, angered, and amused Anglo-American readers in her own day, on my first trip to Europe, in the midst of my own complicated discovery that I too was the American Girl; I passed it on later as prescribed reading to a young man I knew—a not very subtle reminder of the privileges and perils of involvement with such a creature; I have taught it half a dozen times with undiminished interest. Yet I was never much like Daisy Miller. I wouldn't have liked to think of myself as being "pretty"; I have never dressed fashionably or even well; and I have always fancied myself as some sort of an intellectual. Why do I care about flat little Daisy in her fine clothes? I think it is because she reveals what I and others, whether rightly or wrongly, welcomed and dreaded daily in our youth and retained a sense of later: the fact that the American Girl is absolutely and quintessentially public property.

Daisy Miller
by Henry James
Originally published in 1879 in London by Macmillan; published in the US in 1883 by Harper & Bros.
It is now in print in several editions.

provided her author with his only commercial success, and lingers potently today with still provocative claims on the American imagination. I know that her story has long held a tenacious and personal if somewhat elusive fascination for me. I read it over a decade ago

James creates Daisy's reality for his readers not by illuminating her interior life, but by throwing a flood of light on her exterior existence. This is not just James' technique, but Daisy's substance as James understood it. Chronic overexposure is somehow part of her nature. We learn a great deal about the American Girl from the fact that *Daisy Miller* is not really about Daisy Miller, but rather about other people's opinions of Daisy Miller. This is not to say that anyone in the book, with the possible exception of Winterbourne, gives her close scrutiny and careful analysis, or tries to understand her. No, the issue at hand is simply whether those observing her will accept or reject her. Daisy does not at first realize that she can only be chosen or discarded, but James does. She is somehow a product and the only question can be whether or not one wants to buy. *Daisy Miller* taps the paralyzed anxiety of American girlhood in a way that shuttles me back to adolescent nightmares of the terrors of wallflowerdom. Accepted or rejected, loved or hated, living or dead? Which?

Daisy, so pretty, so processed, so dependent, comes from a country which has Hollywood in its future. Absurd as it may sound, she anticipates to me the tragedy of Marilyn Monroe. Daisy Miller exists only as she pricks the imagination of her public. Her obliviousness to this fact is but a sign of unconscious proficiency; an acquired trait has *per force* become instinctual. She is a professional attention-getter. But the attention which creates her also transfixes and traps her. And like Monroe, what beauty she possesses is in her slightness, her final powerlessness to save herself, her inevitable fragility. Monroe died, I sometimes think, of her inability to stop pleasing; Daisy, her faint fictional prototype, from a rather desperate decision to displease. But she has for me some of the same pathos. An ever-present audience which has ceased to comprehend, if it ever did, can sometimes leave the performer with no recourse but suicide.

Perhaps I could say that *Daisy Miller* is finally not about Daisy, but about her audience which is hostile as well as uncomprehending. One of the many ironies of Daisy's fate is that her author is less interested in her plight than he is in her enemy's problems and methods, for these are much closer to his own difficulties of self-definition than Daisy's unverbalized struggle. Her audience of opponents is essentially parasitic, and its chosen weapon is naturally that of

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the parasite: gossip, that "confidential" talk by which we form and flay those who in some way perform for us. The process of gossip already engages James' attention: it was in certain ways to be the model for his novelistic craft. He shows its function here to be not as a protection for traditional conventions and ideals in a stable society, but rather as a substitute for them in a transplanted and unstable community of emigrés and tourists forced to make critical pretension take the place of inherited values. In the world of *Daisy Miller*, gossip is not the traditional home-grown, over-the-back-fence garrulous and wayward chatter of washing day, but a kind of art, the perfected form of curiosity and malice by which alienated men and women create and discard each other's personalities and their own. Gossip is the culture of the dispossessed, and as such, provides the art of innuendo, the technique of suggestiveness by which the articulate exert their power in James' fiction. The expatriate society of Daisy's Rome relies on scandal and the snide as a means both of self-expression and of social manipulation.

Yet, although their talk sets the terms of Daisy's destruction, it in no way brings the event about. That task James assigns to Frederick Winterbourne, a young American long domiciled in Geneva who turns out to be Daisy's major enemy and James' chief concern. He is the most important member of Daisy's audience for he alone is potentially a critic in the real sense of the word. He himself causes little comment, generating only rather vague, uninformed rumors about a possible mistress. The scent he leaves is apparently faint, veiled, undecided; he is essentially privatized and inaccessible. But he is drawn to Daisy, and while his "set" is that of the emigrés who denounce her, he long resists the gossip which passes as judgment. If he is a bit disdainful, at least he is disdainful of everyone. He wants, and tries, to judge for himself.

Daisy knows perfectly well that only Winterbourne of those around her can possibly spring her from her trap or permanently condemn her to it. James shows her accepting, even willing her death as soon as she realizes that he has emotionally dismissed her. Yet in the face of her utter need of him, why does she treat him as she does? It is clear from the start that Daisy likes Winterbourne; it is equally clear that, once arrived in Rome, she does everything she can to make herself unappealing to him. Yet given her dilemma as James has displayed it, she has no other course of action open to her. Her struggle for survival must involve putting her head on the block and calling for execution.

To cease being a product and to become a person, Daisy must annihilate her market value as irrelevant. To be sure that Winterbourne cares for her self, she must demand that this most ceremonious and "stiff" of young men accept her when she is absolutely unacceptable. And perhaps at the bottom of her lawless little heart lies a belief that if she all but destroys herself, he will have to intervene, and massively. This is a perverse way of looking for love, the tactic of one who does not know what love is, the strategy of "an American girl," whose father is absorbed in business, whose mother is absorbed in stolid domesticity, whose brother is absorbed in himself. Daisy's world, as James reveals it to us, is a singularly loveless one. Her distinction is that, no matter how confusedly, antagonistically or backhandedly, she is looking for something her experience could hardly have told her existed, and for which, if found, she might well have had no adequate response.

Winterbourne's failure to cipher her inverted code is hardly surprising, but it spells tragedy not just for Daisy, but for him. One might well ask why, since James makes it crystal-clear that there is nothing in Daisy herself which would attract a man of taste like Winterbourne. She is pretty, but she is deficient. She comes from a society where there are no long-standing cultural traditions, and she is plainly an advertisement of their absence. Small wonder, James seems to be hinting, that she has a "monotonous" voice, that her language is impoverished past the power of any degree of prettiness to camouflage ("well," a kind of non-word, is, too tellingly, her favorite word). Predictably, Europe is a closed book to her.

Yet James knows that Winterbourne needs Daisy not perhaps for what she is—for James is as uninterested in that problem as are her fellow characters—but for the experience she offers to one in Winterbourne's position. Winterbourne is of course an expatriate, who pursues "studies" in Geneva, and enjoys quoting Bryon at night in the Colosseum. He has adopted the role of sentimental traveler, a well-worn one in the brief annals of American fiction, and one whose viability Henry James in 1878 had every reason for wishing to test and understand.

Just three years before writing *Daisy Miller*, after nearly a decade of vacillation, James had left America for good. He had heralded his decision in 1875 by an allegorical story called "Benvolio," whose hero, in choosing New England over Europe, sacrifices his creativity to his morality. James knew that he could not meet the cost such a sacrifice would impose on him. Yet he never lost his belief in the possibilities for important literature in America. When he wrote Howells in 1880 that he (Howells) was "magnificently and heroically right" in deciding to work from within American culture, I see no reason for doubting his sincerity. He knew, however, that Howells lacked what an American writer to be great must have, "A *grasping* imagination," the ability for "sniffing . . . the very earth of our foundations" and there to find the "very heart" of human nature. Melville had it, although James seems not to have known it, but James, as he surely at bottom felt, did not. James needed, as F. W. Dupee and Leon Edel have shown, to be an outsider, even a voyeur, in order to create, to be, as he put it, "an observer in a place where there is most in the world to observe."

Furthermore James wanted to establish the value of American literature by making it *art*, even at the sacrifice of mass appeal. James Russell Lowell could still proclaim "Let no man write a line that he would not have his daughter read," and the daughters of the land read him with pleasure. But Howells tells us that New Englanders, "especially the women," disliked James' work. James desired, as he later frankly put it, to reclaim the novel from "the ladies and children—by whom I mean . . . the reader irreflective and uncritical." In other words, he wished to write in some sense an intellectual fiction, one which could not be written for a nonintellectual audience. His final if limited success was to be as a writer in a recreated patronage system of authorship—working long and arduously to please the discriminating few—not under the pressures of a commercial system—working systematically and perhaps superficially to capture the uncritical many.

James' decision to expatriate was probably the right one, and his intelligence in finding a crucial distinction between Scylla and Charybdis fine. That same intelligence, however, never let him forget that he had taken the least debilitating of two potentially debilitating options. Winterbourne is the expression of this awareness. If the American Girl

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in *Daisy Miller* displays for James the dangers of over-advertisement attendant upon the essentially commercialized life-style which he had rejected, the expatriate male in that story exhibits the perils of over-privatization attendant upon the esthetic one which he had chosen. The mutual need of these two figures is inevitable and transparent.

As Winterbourne listens to Mrs. Miller discussing her liver ailments, or young Randolph boasting about America and his own perversity, he has the air of a man politely and resolutely swallowing the unswallowable at an unsuccessful dinner party. In actuality, he is being fed the coarse bread of life. Indeed, in the Millers' unconscious candor lies Winterbourne's only chance of replenishment. Daisy and her relatives are invaluable to him as they are to James, because they spread before him the vast vistas of the "vulgar," the flat terrain of American mass culture that his residence in Europe has safely yet dangerously distanced to a subculture for him.

And Winterbourne finds not just comedy but magic and excitement both in the new and in the casual freedom with which it is offered. He marvels at the easy aplomb Daisy shows chatting about her personal life or riding in public on a boat unescorted except by a gentleman friend. Who can tell what other astonishing transformations of experience she can accomplish? It is Winterbourne's pretentious aunt who, in discussing Daisy's unabashed display of familiarity with her Italian friend, identifies her appeal: " 'she thinks of nothing. She goes on from day to day, from hour to hour, as they did in the Golden Age.' " It is precisely Daisy's extraordinary public quality which is her "innocence" and her attraction. It is her denial, perhaps her ignorance, of dark corners which draws Winterbourne—and James—to her in mingled envy, hope and disdain. Unawares, Daisy suggests the tantalizing half-promise of a golden vulgarity, the release from the strain of cultural and sexual privatization—the essential resource of liberation. Winterbourne, perhaps like James, distrusts this promise but his torment is that he does not disbelieve it. He destroys, but he regrets.

This is where the book ends, not with Daisy's death but, characteristically, with the *effect* of her death on Winterbourne, and with James' penetrating and subtle analysis of his predicament. Geneva, the "little metropolis of Calvinism" to which Winterbourne returns and whose Puritan aspects James carefully stresses, represents all too clearly the literal historical origin of New England. Geneva, whose young ladies never do as Daisy did, symbolizes here, as New England was in part to do in James' book on Hawthorne, a spirit of hostility to the free play of the imagination. Ironically, Winterbourne, in following the "gossip" of his countrywomen, has simply chosen as guide the New England conscience debased and operating in alien territory. He has traveled only to stay at home, and worse, in doing so, he has nourished not his creativity but his guilt. This was the fate that James himself was to try to avoid, although not perhaps with complete success.

Here the book closes, yet I cannot close, as James intended I should, on Winterbourne's loss, because that is not the real force of the story for me. There is a certain self-pity lurking amidst James' ironies here, and perhaps I want some of my own. Yes, poor Winterbourne, James seems to be telling us, and I sympathize even while I note Daisy's displacement. Like all those other introspective, somewhat ineffectual and self-condemning observer-figures who decide and re-decide through the pages of James, Hawthorne and Howells, Winterbourne, James implies, must finally bear the burden of life. By a curious logic, it is apparently only the good-looking, nonconforming woman or girl who has the privilege of dying and leaving that rather unemployed man who failed to understand her a permanent sinecure of self-indulgent grave-tending. Of course it is not so simple, but still I am drawn to Daisy not just because Winterbourne deserts her, but because in a sense James does too. It is of her essence that she does not quite "belong," even in her own book. She *is* so vulnerable, this Daisy Miller, an American Girl whose superficiality is her complexity. She never knows she is pathetic, decked out in Daddy's trophies but without Daddy, emblem and victim of mass culture, addicted to attention and ignorant of love, perishing of that inability to articulate peculiar to a cult figure obscurely dissatisfied with its cult, losing her audience but not her image: the eternal object. Who looks at her, who owns her, who kills her, who buries her, who misses her, who writes about her, and why—that's what matters, there's her story. Dear Daisy, when they've all gone home, do you exist? I need to know.

Ann Wood

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Crawford Woods on (alternative) TV

Rolling Your Own

Kenneth Clarke in the Sistine Chapel or Orson Welles in the catbird seat on "David Frost" are no doubt real good for ya, but to get your art from television is mostly to look for diamonds in Crackerjacks. One man who's trying to make it otherwise is Brice Howard, director of the National Center for Experiments in Television, set up by public TV station KQED in San Francisco and funded by Rockefeller. The center's program is determinedly medium equals message and its results uneven. Ninety minutes of its 100 hours of tape were aired two years ago as the not-very-well-received "Stoned Angels," and it influenced PBS' interesting "San Francisco Mix" a year later. But Howard's ideas are still ahead of his air product:

> The camera is a transducer. There is a point where the light becomes electricity. When you begin to realize that the field in front of the optical system is important only in terms of the flow of electrons, and that whatever the field may be, the system transfers it to the same size of screen. . . . We want to go back to Plato's *Republic* and ask those sorts of questions, relating to that surface. What *is* reality? . . . We're out of the bag of making the image representational. The motion picture world is very adept at that, but that's not what the electron is about.

This is the serpentine thinking of an artist-engineer, part brilliance, part bullshit. Howard is particularly interested in picture generators, devices for producing what amounts to a light show on the screen without the mediation of a camera. Such Dada deviations may strike the reader as electronic flagpole-sitting, and critic Martin Meyer, for one, takes a very harsh view of the center's efforts:

"Quite a lot of what Howard says is over the line that separates meaning well from meaning nothing at all . . . but [he] is far from the only man in television to be taken in by . . . McLuhan's 'system of lies'" (quote from Meyer's book, *About Television*).

There is some accuracy in that criticism—and something poor-spirited and acquiescent. For *something* can be done to make the medium palatable to people who now hate to give a set houseroom, and these giddy experiments are a step in the right direction. They suggest a playful approach that could go a ways toward alleviating the physical pain caused by too much television watching. It comes to mind that you can actually *play* with your television set. Grab the controls and mutilate the picture. Twist the vertical and horizontal holds unmercifully; flip the contrast; make darkness fall or light abound; change the colors—turn Cronkite green or squeeze him into a spitball . . . and if all else fails, pull a magnet across the picture tube—it will distort the image without damaging the set.

But explorations of far greater moment are being made outside the home and studio, out in the streets. We approach them by way of a sample program log. Think first of the one in your paper. What are you offered on a typical day? A bit of "news," an hour of cowboys, 30 minutes of cops, 45 of doctors, a splash of "variety," a made-for-television movie (that's like a made-for-high-school play), an old film (garbage often, Bogart rarely, Buñuel never), a bit more "news"—sign-off.

Now read this scrap of log for a Santa Cruz cable channel that makes no mock of public access:

> "A Day In The Life": a day with a city policeman
>
> "Help Wanted": jobseekers; employers, tune in
>
> "Consumer Alternatives": how the food co-op works
>
> "Wed. Nite Jam": local rock groups, plus Hot Tuna
>
> "County Jail Ripoff": jail conditions, inside interviews
>
> "Santa Cruz Gallery": local artists display work

. . . and so forth. Through the week, the viewer is offered a welfare hotline, encounter groups for junkies, horoscope charts, tips on organic gardening, civic feedback, massage classes, Bircher meetings, Jesus freaks and high school football games. Compared to the graveyard of network fare, how life-enhancing is the list. It happens that little of this programming appeals to me—which is precisely the point. It's homemade television carried by cable to a small, specific audience that does want it, an audience which met its own needs by making its own programs. At the bottom of the log runs a legend which sums up the implications of this unusual programming:

> If you have something to say or show to the community, stop by. You can tape it yourself with the community hardware. . . .

When was the last time you got that offer from the executive suites of the television networks? Or even from the local stations in your own home town?

But this talk of cable anticipates. TV can happen on an even smaller scale. A few weeks ago, I ended an evening in somebody's apartment in San Francisco watching a group of people gathered around an old refrigerator-sized Zenith, rapt before the flickering screen. It was a duplication of the prime time scene in all too many American living rooms, with one important difference: what was on the screen was pouring out of a video tape recorder sitting by the set. I don't even remember what the image was, but at this stage of the game, that's not too important. Here were people whose interest in television had taken an active turn. They had made what they were viewing.

The next night, I fell by the City Lights Poets' Theater where a roomful of people sprawled on mats were sucking up a videotape of a poetry reading by Charles Bukowski. Four receivers of varying sizes pointed at angles into the big room, fed by a VTR. Amusingly, the

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man running the show was more absorbed by a network broadcast of *Gimme Shelter* on a little portable at the rear. So Mick Jagger's fretful voice mixed with Bukowski's arrogant verse at times, and an unwelcome signal from a radio station occasionally crept into the tape and overlaid both. The tape itself was a chancy job: only one camera had been used, and that without imagination. It alternated between head and shoulder shots of the poet and close-ups of the refrigerator that held the beer that fueled him. Never a look at the involved, abrasive audience, never even a tight close-up of the reader, no sense in the camera of the rhythms of his work.

Not a very professional job, in other words, which, again, is exactly the point. Obviously, it's ultimately desirable that people involved in roll-your-own TV gain sufficient expertise to put together material free of the distraction caused by trite conception and sloppy execution; the hand-held camera may "heighten reality," but it also makes you seasick. Still, there's something invigorating in lèse-majesté toward machines. Viewing these and other tapes, I felt that the makers had splashed happily about in the medium as though it were a mudpie. Great. TV has been for far too long protected by its technological mystique. "Don't figure-eight that camera cable lessen you got a union card." Fact is, a child can learn to run a VTR porta-pack in 30 minutes. No hyperbole—children have; some video databanks stockpile their imaginative efforts.

One happy biproduct of these developments is going to be a corresponding demythification of the critic's role, where his armored vocabulary is concerned. Writers on film and television have always been uniquely able to hide in metal language, and I tend to suspect judgments in proportion to the number of references they contain to freeze-frames, overdub, third generation alternate masters, focal plane and Disney-mouth. It's a bit as though a book reviewer were to tackle a novel along these lines: "This worthwhile first novel's body-matter type is 11-point Linotype Caslon with long descenders on 13-point body, running-title in Janson Italic. . . ."

What this points up is the war of form and content which alternative television is in the midst of. Since the electronic media often present us with more interesting opportunities for gossip in the former field, it may be forgivable that so much attention has been directed there. But movies, because of money, have always been largely in the hands of money experts, and their rituals of construction are still somewhat inviolable. The tube, however, is headed toward a pen-and-ink availability. Its explorers—formalists like Howard or socially conscious content-men like many of the guerrilla tapemakers—are united in one respect: they are making television something you can do instead of suffer through. Flaws and all, we must applaud.

Kauffmann, *from page 26*

doesn't happen when Adam and Eve eat. Why was God so anxious to frighten man off from that first tree? He tells us himself, after they eat the fruit. "Behold, the man is become as one of us, to know good and evil." So God expels the pair lest the man "put forth his hand, and take also of the tree of life, and eat, and live for ever." Quite explicitly, this is the story of God protecting his monopoly on moral authority, godhood, and immortality. Man was expelled by God to keep God in power.

Miller was not obligated to write this play, of course. He could have omitted the second tree, he could have contradicted the Bible (which he does, his Adam and Eve *begin* immortal), he could have done anything he liked if the result had at least been intelligible and entertaining. But what he gives us is muddle, aching along from one glib irony to another, without any internal consistency. For instance: although his Adam and Eve begin immortal, his God still wants them to multiply. The only reason given is that God would like a grandchild. Adam and Eve have no real sexual impulses before they eat the fruit, so Lucifer, deviously doing good, decides to help God get a grandchild. He induces Eve to eat the fruit and get sexy, then she does the same for Adam. And then Miller's God is angry at the pair because they *will* multiply—which is exactly what he said he wanted!

The continual muddle arises, I think, because Miller doesn't know what he wants to say. He improvises and patches, in speech that mixes borscht-circuit and Bible. This suggests one more evasion with which Miller might be indicted, his evasion of Jewishness in his career. Many have noted that the tonalities of speech and character in *Death of a Salesman* are Jewish, yet Miller refused to acknowledge this. There are clues all through this new play that it was meant to be a Jewish domestic comedy on Biblical themes, something like Odets' *The Flowering Peach*, but once again Miller faltered.

And there is greater, deeper failure, best illustrated by a comparison with O'Neill. All through his life, O'Neill had buried in him, like a secret fire, the story of his early life, his relation with his parents, their relation with each other and with his brother. He flirted with this material in various disguised and adulterated ways, and when at last he could confront it and plumb it, he wrote his one indisputably great play, *Long Day's Journey into Night*. All through Miller's career, his dominant theme has been father-son conflict and love. Here he has gone back to the *first* father-son story, God and Adam, which, one might have thought, is the absolute epitome of what has been impelling Miller all his life, the fundamental source of what has concerned him most. But in Miller's case, as against O'Neill's, when he faced the heart of the secret, he fiddled and fumbled.

Miller's general indecisiveness is reflected in the casting. (I know the cast was changed several times in the out-of-town tryout tour, but that's none of my business here.) Bob Dishy makes Adam a sweet, patient, Jewish revue-sketch comic. Zoe Caldwell, as Eve, is like the Second Coming of Greer Garson. Stephen Elliott, as God, is like the boss in a '30s play about labor troubles, punching hard, crabbed in vocal and physical line. George Grizzard has the right sliding insinuation as Lucifer, but his speech ("whaddabout," "byoodiful") is distractingly vulgar. Gerald Freedman took over the direction in mid-tour, not very firmly. I can't remember ever having seen a wholly satisfactory Freedman production, even one he has directed from the beginning. His ear is imperfect, or (for instance) he would not have permitted some of Elliott's readings. His eye for simple traffic management is not very good, either. Much of the staging looks merely uncomfortable.

There *is* one creation in *Creation of the World*, and that is Boris Aronson's setting. Using colors (especially blue) out of early Italian Renaissance painting, using two giant gem-like rocks as periphery, using a raked stage so that we can see how it sometimes glows with spots of light from beneath, Aronson convinces us that this is how things looked when it all began. And, except for God's pajamas, I also liked Hal George's witty costumes. (Closed.)

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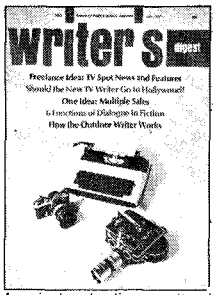
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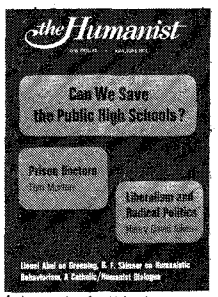

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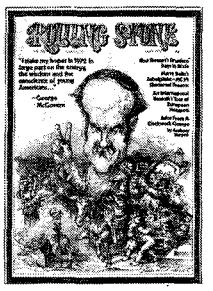

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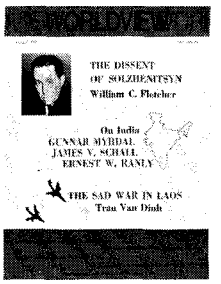

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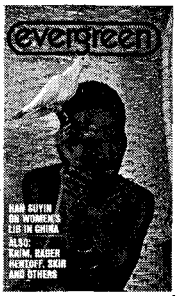

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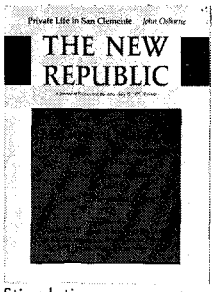

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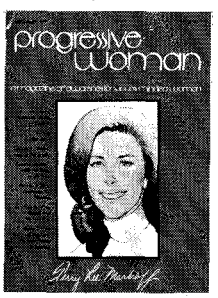

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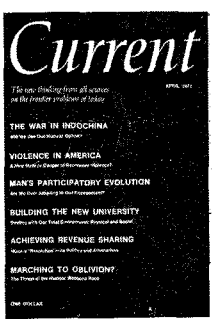

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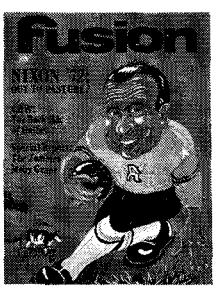

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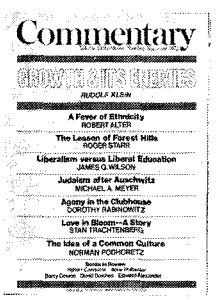

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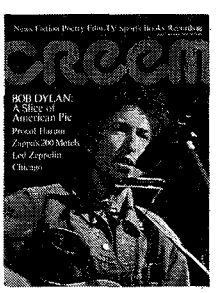

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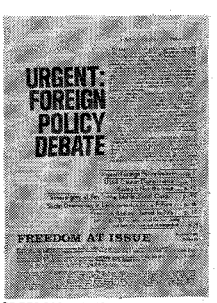

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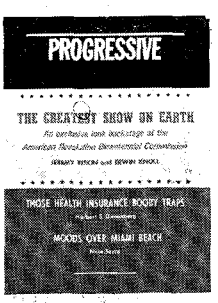

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